

Edited by COLIN LEYS and

A CRANFORD PRATT

New Deal

in

Central

Africa

PRAEGER

A NEW DEAL IN CENTRAL AFRICA

Edited by Colin Leys and Cranford Pratt

ONE of the most urgent problems facing the British Government at the present time is that of the Federation of Rhodesia and Nyasaland. Of those people who are concerned about the fate of the territories, some are hopeful of the outcome; many are extremely critical; a few are, quite frankly, in despair. This book has been written to give the facts of the case.

In 1953, federation of the two Protectorates of Northern Rhodesia and Nyasaland with Southern Rhodesia was finally imposed in spite of the almost unanimous opposition of their African populations. What were the forces which produced Federation? What were the arguments which persuaded many people in Britain – but few in Africa – to accept it? Have the results of Federation over six turbulent years substantiated the promises of its supporters or the fears of the Africans?

This book attempts to answer these questions. It contains a brilliant review of the federal economy by Professor W. J. Barber and a moving account by Guy Clutton-Brock of the 1959 emergency in Southern Rhodesia, including the story of his arrest and imprisonment. Many other matters – the history of the movement toward Federation, the idea of “partnership,” the effects of the policies pursued in Central Africa since 1953, and, above all, the fast-developing pattern of African reactions to them, culminating in the 1959 crisis and the Devlin Report – all these matters are discussed with wise and compelling seriousness.

The authors have combined trained and careful research with a deep concern for the future of Central Africa, to make a book which is hard-hitting, but which relies on facts and not on feelings. It is controversial and topical, but at the same time a permanent contribution to this subject.

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A NEW DEAL IN CENTRAL AFRICA

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A NEW DEAL IN CENTRAL AFRICA

Edited by

COLIN LEYS and
CRANFORD PRATT



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BOOKS THAT MATTER

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Editors' Note

This book is the product of the interest and effort of many people who have been concerned with the trend of events in Central Africa, and with Britain's responsibilities there. In April 1959 over forty-five men and women – academics, missionaries, churchmen, journalists and others – met in Oxford for a private week-end conference on Central Africa, and generously gave their professional and personal knowledge to the discussion and criticism of the conference papers out of which this book has grown. Much of any final merit in it is due to them and while they are too numerous to mention individually we are particularly grateful to three, Mrs E. M. Chilver, Mr T. R. M. Creighton and Professor Max Gluckman, for joining us in calling the April conference and for subsequent help and encouragement.

While the chapters are the work of individual authors, the editors alone bear a general responsibility for the whole.

We should like to thank our wives, Gudrun and Renate, for their interest, encouragement and patience while we struggled to find time to bring the book together into its present shape.

COLIN LEYS

CRANFORD PRATT

OXFORD

Preface

The Government's view is that these nationalist aspirations are the thoughts of only a small minority of political Africans, mainly of self-seekers who think that their prospects of office will be worse under Federation; and that the great majority of the people are indifferent to the issue. We have not found this to be so.

. . . we have heard different opinions but it was generally acknowledged that the opposition to Federation was there, that it was deeply rooted and almost universally held. We found it to be so. Even amongst the chiefs, many of whom are loyal to the Government and dislike Congress methods, we have not heard of a single one who is in favour of Federation.

Report of the Nyasaland Commission
of Inquiry (the Devlin Commission),
para 43.

The Report of the Devlin Commission on the Nyasaland crisis of February–March 1959 has been described as ‘perhaps the best study in modern colonial politics ever written’. Its impartiality is beyond question. The Commission found that the principal organisers of the Nyasaland African Congress, though not its President, Dr Banda, had by the beginning of 1959 ‘made up their minds that they would get Congress to adopt a policy of violence’ and that ‘intimidation was one of the weapons used by Congress’. On the other hand the Commissioners pointed out that ‘there is no way in which constitutionally it [the Congress] can make its views effective’ and that the idea of violence grew directly out of the frustration to which this gave rise; they also found that the Government had exaggerated the extent and effect of intimidation and that in particular the membership of Congress was not secured by intimidation but ‘depended chiefly on popular support’. Even before Dr Banda returned to Nyasaland in July 1958 to become the leader of the Congress, the

Commission concluded that 'the prospect of a collision sooner or later was almost certain'.

Why the people of Nyasaland were drawn into this collision with their government, for which Britain is responsible, is indicated in the quotations from the Devlin Report printed at the beginning of this preface; and the aim of this book is to show how this has come about not only in Nyasaland but in all three of the territories of Central Africa and what needs to be done to avert further tragedy.

The present federal constitution gives effective power to the small European minority and the first question is how they have used it, and what path of development their rule points to for the future. The short answer is that they have used their power with a view to maintaining their power, and that they mean to go on doing so. As so often in history, the repressive course to which this has led has been followed half-reluctantly, yet in the name of an ideal, a 'selective partnership' of a few *élite* Africans with the settlers. This leaves only a continuing subordination for the 'fore-seetable future' of the great majority of the people. There is good in this idea of a selective partnership. It includes probity in public life and energy in economic life. But it is vitiated by the refusal to abandon the basic discriminations and privileges which underlie settler rule. As a result, even what is good in it is being submerged as African opposition becomes better organised, more articulate, more bitter and as the Europeans in turn react with repressive legislation which itself further increases African hostility. The Nyasaland crisis and the related 'emergencies' in Southern and Northern Rhodesia early in 1959 were only the latest outcome of a process which has been at work since 1953. The contrast could scarcely be more complete between the high hopes of liberal-minded people who supported federation in 1953 and the revelations of experience.

If federation is to continue, fundamental changes are essential, and these we have tried to define. If the Europeans cannot be induced to agree to them, the understandings on which federation was based will be at an end. Britain will be obliged to resume full powers of government and make a fresh start in the Protectorates alone.

This course is not an easy one. The 'easy' course might seem to be to allow final control to slip into the hands of the European

minority. Yet is this true? For those who think that choosing in the light of moral principles and responsibilities is naïve or inept there should be two further considerations.

First, African political progress will entail risks for investors and for Britain's position generally in Central Africa. But may there not be much greater risks to investment and to British influence in trying to entrench control by a minority? The present situation in Central Africa is too often defended by people who refer to Ghana and speak as if this vigorous state were a symbol of the worst fate that could befall an African territory. There have undoubtedly been illiberal developments in Ghana. Yet can it reasonably be suggested that liberties would be larger, administrative standards higher or investments safer had Britain attempted to repress 'for the foreseeable future' Ghanaian nationalism? The champion of expediency in colonial policy must compare India, Pakistan, Ceylon, Ghana, Nigeria, the Sudan, Burma, Tunisia and Morocco, with Algeria or Indonesia. Admittedly the problems of Central Africa are not identical with those of West Africa or any single one of all these territories. Yet on this question of sheer expediency we must still ask: in which of these territories has investment been safer, and in which is the influence of the colonial power likely to be more lasting?

Second, Britain is a world power in a world in which relations between the coloured and the western peoples have become perhaps the most important issue on which our future may depend. Besides her inescapable responsibility towards the Africans of Northern Rhodesia and Nyasaland, Britain has responsibilities towards millions of Africans elsewhere in Africa, and is the senior member of a Commonwealth which is the most important organisation of international and multi-racial co-operation which the world now knows. Britain will not be able to sell out the political future of five million Africans quietly, without repercussions or damage of any kind to her standing and other interests. Indeed, to much of the Commonwealth, Britain's policy towards Central Africa may become a decisive test of how genuine is her interest in the new Commonwealth.

Yet the course dictated by principle, and by everything that is best in Britain's liberal, democratic and egalitarian tradition, is admittedly a difficult one. We have not tried to conceal the

difficulties of making the right choice. The European minority has legitimate interests which demand special protection. But it is not, at bottom, a question of 'Whose side are we on, the Africans' or the settlers?' The interests of the European minority and of the African majority are really identical when it comes to arresting the present racial antagonism and reversing the headlong plunge into authoritarianism which is the result of it. In contemporary Africa it is our conviction that this is only possible if the right of the African majority to political control in the foreseeable future is conceded and if there is an immediate and major move towards that end.

PART ONE

How the Federation was Made

CHAPTER I

THE IDEA OF AMALGAMATION (1915-1939)

The idea of amalgamating Northern and Southern Rhodesia was born in 1915. The British South Africa Company, which ruled both territories under a Royal Charter, proposed it for the sake of economy. The British Government had no objections; the proposals made economic sense and the social policies of the Company were in principle the same in both territories. But the settlers, especially in Southern Rhodesia, were against the idea and nothing happened.

Why was this? In 1915 the Southern Rhodesian settlers were on the point of ending Company Rule and gaining control of the government for themselves. Northern Rhodesia contained only two thousand Europeans (largely employed by the Company); it was nearly twice as large as Southern Rhodesia and its annual revenue was only £135,000. Joined to Southern Rhodesia it would be a financial burden and the ratio of whites to blacks in the amalgamated territory would be so small that the British Government might hesitate to give the whites a free hand.

The fundamental reason for rejecting the proposal was that the settlers sensed a threat to white supremacy. Northern Rhodesia was believed unsuitable for white settlement; therefore in the long run it could not be run by white settlers. In the idiom of that time, in Northern Rhodesia 'democratic institutions were permanently impossible', as their chief spokesman, Sir Charles Coghlan, put it. By 'democracy' he meant an internally democratic white oligarchy. The sort of social system it was intended to safeguard was well illustrated by another member of the

Legislative Council, Mr McChlery, who said that

in the employ of the Chartered Company in Northern Rhodesia were black men who filled various posts. The white population of Southern Rhodesia could not look upon that state of affairs with any satisfaction . . . if the people of Southern Rhodesia believed that the natives were going to be admitted to the skilled trades, occupations and professions, they would think it was a country to get out of.

Northern Rhodesia, they thought, must inevitably remain a place of equal opportunity, a 'Black Man's Country'; but not Southern Rhodesia. 'Were they to be a self-governing white community; or were they to go north for their future? If they had to go outside, would it not be better to go to the white south?' said Coghlan,¹ and in 1923, under his leadership, Southern Rhodesia was granted Responsible Government.

How was it that in 1953 the Europeans came to demand the amalgamation which in 1923 they had rejected? Much at least of the answer is simple: the discovery, in 1925, of the Northern Rhodesian Copperbelt. From a barely rising 3,000, the Northern Rhodesian European population quadrupled in the 1920s. The world depression set it back, but it grew rapidly again during and after the war until, at 49,000 in 1953, it was one-third as large as Southern Rhodesia's; and the European leaders were pressing, with considerable success, for political privileges similar to those which Southern Rhodesian Europeans enjoyed. By 1953, it is fair to say, Northern Rhodesia was seen no longer as part of the 'black north', but as a potential bulwark of European supremacy. Moreover, the phenomenal prosperity of copper meant government revenue which would be urgently needed if Southern Rhodesia's way of life was to be maintained.

Meantime, however, a marked change had taken place in the public attitude of European leaders towards Africans, especially since the second world war. Racial integration and equality were still strongly rejected but South African *apartheid* was looked on with disfavour. This still vague reappraisal also played a part in changing Southern Rhodesian attitudes towards amalgamation, and an even larger part in winning support in Britain for federation.

1. *S. R. Hansard*: 25-6 April 1917.

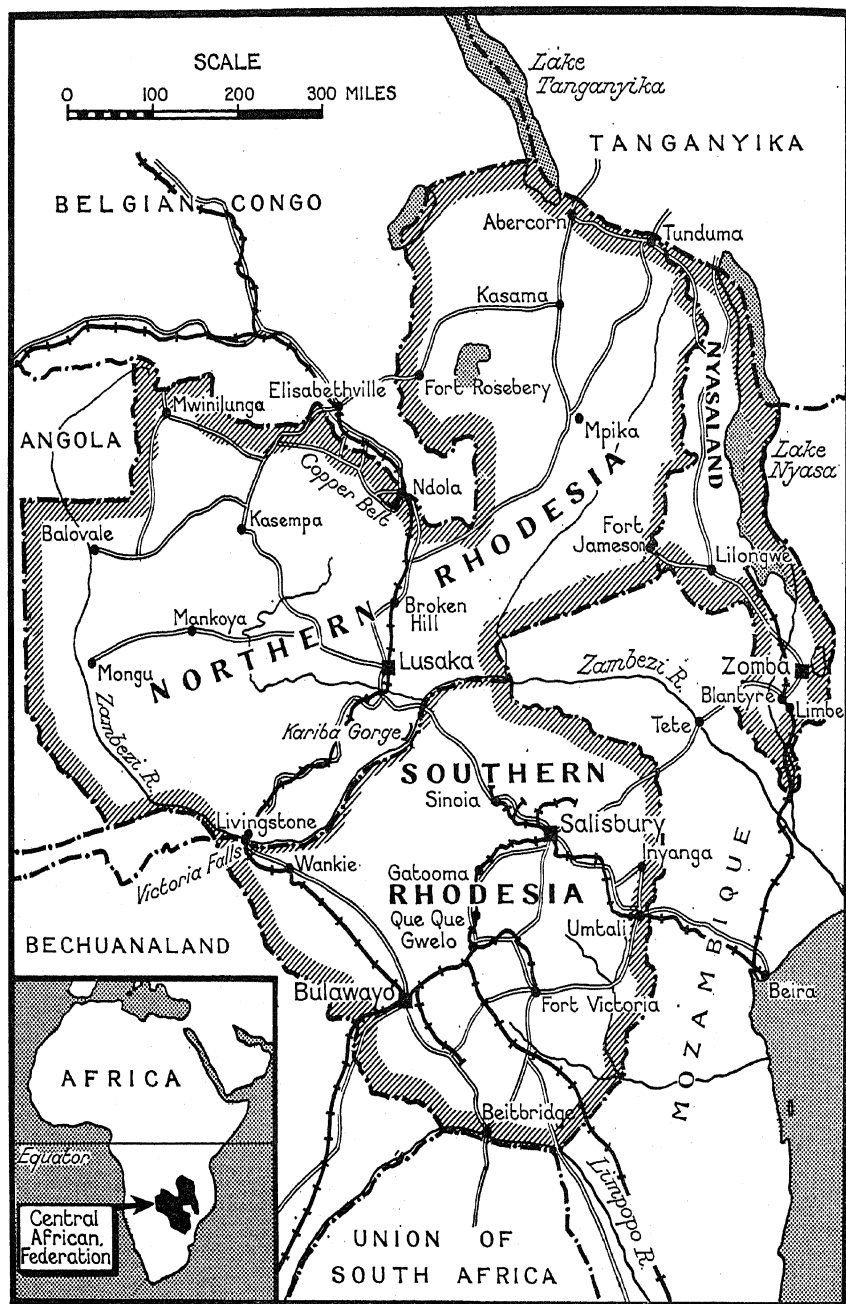
But this is to run ahead of events. The first effect of the development of the Copperbelt tended in quite the opposite direction to amalgamation or federation. As the Northern Rhodesian settlers grew more numerous, they grew stronger in relation to the government (which the Colonial Office took over from the Chartered Company in 1924). They now began to look forward to gaining power in Northern Rhodesia on precisely the same terms as the Southern Rhodesian settlers had in 1923. This made them cool towards union with Southern Rhodesia, at least so long as the balance of European population remained in the south.

A second new factor in the situation was the victory of General Hertzog's Afrikaner nationalist party in the South African elections of 1924. The majority of Southern Rhodesian settlers were (and are) English-speaking, not Afrikaners, and the long-standing animosity between these two groups produced a sharp reaction to this election result in Southern Rhodesia. The idea of entering the Union of South Africa, which had been rejected by the settlers in favour of Responsible Government in a referendum of 1922, now became very unpopular indeed. This lent fresh interest to the idea of uniting with Northern Rhodesia, although for many years to come the strength of popular feeling among Southern Rhodesian settlers against the 'black north' remained stronger than that against Afrikaner dominance in the Union. Few people doubted in those days that Southern Rhodesia could remain independent.

The Murray-Stirke discussions

In 1927 the Hilton Young Commission on Closer Union of the Dependencies of East and Central Africa was appointed. Its terms of reference covered Northern Rhodesia and Nyasaland and this raised the possibility of a union of these territories with Uganda and Kenya to the north. The reaction of the settlers in Northern Rhodesia was similar to that of the Southern Rhodesian settlers in 1915; in face of this possibility, they preferred the 'white south', which in this case meant Southern Rhodesia.

So, in February 1928, in spite of their hopes of gaining Responsible Government independently, two of their representatives, Captain Murray and Mr Stirke, approached the Southern Rhodesian government for terms. These were distinctly



THE FEDERATION OF RHODESIA AND NYASALAND

generous towards the settlers of Northern Rhodesia, including over-representation for them in a combined parliament, guaranteed ministerial representation in the combined government, and several other substantial concessions. The Northern Rhodesian settlers, in other words, did not seek union with Southern Rhodesia at any price; they wanted independence from the Colonial Office, but not at the cost of becoming wholly dependent on the settlers of Southern Rhodesia. The Southern Rhodesian cabinet, on the other hand, thought the Northern Rhodesian price worth paying. If a threat to the Southern Rhodesian way of life did develop, which they could not meet alone, union with Northern Rhodesia was the most attractive alternative and in any case, even if there were no pressing need at the moment, and little enthusiasm for the 'black north' among Southern Rhodesian settlers, it was worth trying to prevent Northern Rhodesia from being federated with territories to the north, perhaps building a railway through them to the coast and entering a customs union to Southern Rhodesia's disadvantage.

The Hilton Young Commission, 1928 (Cmd. 3234)

This was explained fairly frankly to the Hilton Young Commission when it visited the Rhodesias in March and April. In Northern Rhodesia a Mr P. F. Ellis told the Commissioners of

a feeling in this country that the Colonial Office has got some intention of putting Europeans in this Eastern part of Africa under native rule and are working towards that end . . . amalgamation of the two Rhodesias is popular at the present time, because people here look on that as an escape from the calamity that they fear, that the natives will eventually be able to rule the country.

Actually, this particular settler opposed amalgamation, because in his view 'the whole of our government would be given to Southern Rhodesia'. This was also the view of the Europeans' leader on the Legislative Council, Mr Moore. He was strongly hostile towards Southern Rhodesia, and he did not share the fear that the Colonial Office would jeopardise white supremacy; he preferred, he said, the 'stodgy and costive policy of the Imperial Government' to 'something that would be fought over by the ministers and potential ministers of Southern Rhodesia'. But Sir Hilton Young himself concluded that most of the settlers

along the line of rail in Northern Rhodesia, and they were the great majority, wanted amalgamation.

The Southern Rhodesian position was made equally clear by the Premier, Mr Moffat, who had succeeded Coghlan in 1927. His case in favour of amalgamation consisted, firstly, of the similarity between the two territories' climates, products, populations, and 'sentiments and ideals'; that is to say, the sentiments and ideals of their European inhabitants. Second, Moffat considered the possibility of political changes in territories to the north and east which were ruled or claimed by other European powers and argued that

as one united country we shall be in a far better position to meet and deal with any difficulties which may arise through any such changes.

Third, there was the question of race; on this he simply said that in his opinion,

this problem can eventually only be dealt with by united action on the part of at any rate the British communities of South and Central Africa.

This meant, in effect, solidarity between the 'White Man's countries', and the inclusion of Northern Rhodesia among them. Fourth, amalgamation would promote administrative and economic efficiency in various ways. Fifth, there was the old question of Anglo-Boer rivalry:

. . . one united Rhodesia will be a greater strength and power and would exert a greater influence both materially and morally on the whole of the Southern portion of this continent, which from a British point of view would be a very definite advantage.

Lastly, there was a plain statement of Southern Rhodesian ambition. 'Absolute unification' was proposed, Southern Rhodesian cabinet ministers told the Commission, 'with representation of Northern Rhodesia in the parliament at Salisbury as a portion of one colony'. As Moffat had explained, this 'would greatly extend the scope of our powers, especially in providing large areas of unoccupied land ready for opening up and development in the North'.

In all these arguments the interests of the Africans played no explicit part.

This was only the second public discussion of amalgamation. And in spite of many others which followed, few important new considerations were introduced into the debate.

In 1928, amalgamation seemed to serve many of the economic, racial, and political interests which added up to the 'way of life' of the Europeans of the two territories at that time. But it also had disadvantages, especially for the white artisan in Southern Rhodesia, who was afraid of losing the exclusive right to certain kinds of employment, which in Northern Rhodesia were open to Africans. Not until the need was felt more strongly and the British Government was prepared to make greater concessions to demands of this type could unification become a real possibility.

Nothing came of the Hilton Young Commission. Sir Hilton Young himself favoured partitioning Northern Rhodesia, linking the richest part, the line of rail, to Southern Rhodesia and ultimately uniting the bits and pieces, including Nyasaland, in a federation under the hegemony of the enlarged Southern Rhodesia. This idea has since been frequently resurrected, but it appealed to nobody at the time. The rest of the Commission disliked Southern Rhodesian 'native policy', and favoured the *status quo*. Northern Rhodesian Europeans began to talk again of Responsible Government.

The Passfield Memorandum, 1930

In 1930 they received a rude shock. The Colonial Secretary in the second Labour Government, Lord Passfield, issued a *Memorandum on Native Policy* (including Northern Rhodesia) (Cmd. 3573). This stated that the policy of trusteeship necessitated the retention of final control by the British Government, even if there should ultimately be an unofficial majority, which meant a majority of European settler representatives, on the Legislative Council. And the trust which Britain would continue to exercise would rest on the 'paramountcy' policy, first laid down for Kenya by the Duke of Devonshire in 1923 (though for rather different reasons): 'the interests of the African natives must be paramount, and . . . if, and when, those interests and the interests of the immigrant races should conflict, the former should prevail'.

The 'paramountcy doctrine' does not strike us today as particularly unreasonable, but it certainly was incompatible with white supremacy. Its effect on the Europeans of Northern Rhodesia was to produce an outburst of agitation for amalgamation with Southern Rhodesia. Even the cynical Moore was converted and as a first reaction he and a colleague wrote in protest to Lord Passfield to say that British Colonists 'hold that the British Empire is primarily concerned with the furtherance of the interests of British subjects of British race and only thereafter with other British subjects, protected races, and the nationals of other countries, in that order'; and they threatened that

the virility of our race may manifest itself in other directions . . . the settlers may determine to remain and strive for progress despite obstacles. Faced with the declared determination of the Imperial government to prefer the interests of alien and barbarous races to those of their own, they may seek, and find, sympathy and aid (interested though it may be) from neighbouring colonies enjoying freer institutions and more equitable opportunities.

They asked for a conference. But Lord Passfield's short comment was that 'the views expressed are wholly irreconcilable with the considered policy of His Majesty's Government'; and that 'as the difference of Principle is so profound and I have no intention of departing from the general line of policy laid down in the White Paper of 1923 and the Memorandum' a conference would be useless.¹

But the 'paramountcy doctrine' remained a doctrine. Lord Passfield soon left office and his interpretation of the Imperial Trust went with him. As soon as his memorandum was received in Northern Rhodesia, the Governor, Sir James Maxwell, on his own initiative assured the settlers that it implied no change in official policy there. In 1931 a Parliamentary Joint Select Committee put a gloss on the doctrine to the effect that the interests of no community would be subordinated to those of any other, and in 1934 a new Governor, Sir Hubert Young, re-interpreted it to mean that white interests must never be subordinated to native interests. Through the years Northern Rhodesian governments gradually abandoned the spirit of the paramountcy doctrine. In 1949 the Acting Governor pronounced

1. This correspondence was published in Cmd. 3731.

the paramountcy policy 'dead' and officially replaced it by a new, if hazy, doctrine of racial 'partnership' (at the African Representative Council, 15 July 1949).

But in the years after 1930 the Passfield Memorandum made amalgamation an 'agreed issue' among Northern Rhodesian settlers, especially as the world slump depressed the market for copper; this led to European emigration from Northern Rhodesia, and made Responsible Government seem a more remote prospect than ever.

The first Victoria Falls Conference, 1936

In January 1936 all the settler representatives on the Legislative Council were pledged to support amalgamation, and met unofficially with representatives of the Southern Rhodesian political parties at Victoria Falls to discuss it. This time, the Northern Rhodesians would have agreed to any terms they could get; but effective agreement was blocked by the representatives of the (Southern) Rhodesia Labour Party. Hostility towards amalgamation had been made clear at the 1935 Party congress, which recorded its 'emphatic dissent from any proposal to join the Northern territories', on account of their large native populations and insufficient racial discrimination. They were prepared to support amalgamation, but only on condition that the combined government would get a completely free hand over 'native policy'. This proposal the British Government refused to consider.

The Bledisloe Commission Report, 1939

Two years later a second Commission, Lord Bledisloe's 'Rhodesia-Nyasaland' Commission, was appointed, largely in response to pressure from Mr Huggins, the Prime Minister of Southern Rhodesia since 1933. In 1939 the Commissioners produced a long and informative report; but in their conclusions they sat on the fence. Shorn of verbiage, their recommendations were to accept amalgamation 'in principle', but to reject it for the time being because of the difference between the 'native policies' of Northern and Southern Rhodesia. But since it was precisely this difference which made the settlers in Northern Rhodesia want amalgamation, it was hard to see what 'principle' was left for the sake of which the Commissioners could plausibly

accept it. They adopted the formula in which Rhodesian spokesmen characteristically expressed the desire for control, in utterances intended for consumption in England; talking of amalgamation, or 'closer union', as a great issue of Imperial unity, and of 'native policies' as if they were a minor matter of administrative detail which could safely be entrusted to the discretion of Englishmen, anywhere.

This confused compromise had no immediate sequel. The war intervened. But it was a major stage in a gradually quickening process whereby the real objections to closer union were finally lost to view in a fog of weak and woolly phrases.

CHAPTER 2

SOUTHERN RHODESIAN ISOLATION AND THE WEAKENING OF BRITISH OPPOSITION (1940-50)

In the early years of the war the only important political development was that the British Government sent Lord Hailey to Central Africa to 'investigate the alleged differences of native policies of the three territories' (i.e. including Nyasaland), to use Huggins's words. This report was not published but a report by him on British Africa as a whole was circulated within the Colonial Office, where it seems to have made a deep impression, as later events show.

The war created an insatiable demand for Northern Rhodesian copper. Once again Northern Rhodesian settlers grew cool towards the idea of absorption by Southern Rhodesia and in 1945 their hopes of gaining control in an independent Northern Rhodesia were increased still further by a major change in the constitution. They were now given a majority of one over the civil servants in the Legislative Council. This was offset by the addition of three further European members nominated by the Governor to represent African interests and these were to be replaced by Africans themselves when a suitable

basis for African representation could be established. But it looked to many people like the beginning of effective settler control of the Council.

1945 also saw another development which worked against amalgamation, the creation of a Central African Council to provide machinery for co-operation between the two Rhodesias and Nyasaland in matters of joint concern. This had been recommended by the Bledisloe Commission. The British Government declared that it was not intended to 'give place' to amalgamation and it proved in fact so successful in promoting co-operative ventures, from financial agreements to air services, that it tended to knock the bottom out of the 'economic argument for amalgamation'. It made it very clear that the main object of Southern Rhodesian demands for amalgamation was political control and that much of the economic and administrative argument could be met without political union.

Yet in fact events were taking place which in a few years made amalgamation – in the 'new look' version, federation – so desirable to both Northern and Southern Rhodesian settlers that their joint pressure for it quickly led to success.

The most important of all was the awakening of African political consciousness through the whole of Africa, and in Northern Rhodesia and Nyasaland in particular. This was largely due to the shake-up caused by the war. Northern Rhodesian and Nyasaland Africans had travelled abroad and fought with distinction beside troops from all over the Commonwealth. On the Copperbelt the mushroom growth of African towns had created a new centre of African political consciousness. African National Congresses were formed in Nyasaland in 1943 and in Northern Rhodesia in 1948; the Northern Rhodesian African Mineworkers' Union (also formed in 1948) was itself very much a kind of African political organisation.

These were signs that white supremacy was strongly threatened and they gradually began to cause alarm among the Europeans in Northern Rhodesia; particularly when the Labour Government in Britain showed itself anxious to foster and encourage African political development, for instance by actually taking the lead in setting up the African Mineworkers' Union. Europeans were even more alarmed when to the north, parti-

cularly in West Africa, the British Government went so far as to promise self-government on democratic lines to the African populations, and started working towards it. This probably had its greatest effect on the most recently-settled Europeans, over 60% of whom in the war years had come from the Union of South Africa. They had no particular interest in Northern Rhodesian independence, but they had strong views on white supremacy. For these people, mostly employed in and around the mines, the trade-unionist Mr (now Sir Roy) Welensky was the natural spokesman, and he soon made union with Southern Rhodesia his sole aim. When, in 1948, two of the European representatives of African interests on the Legislative Council were replaced by Africans, settler support for his efforts was intensified.

The rapid growth of African nationalism threatened white supremacy in Southern Rhodesia too. If a system of much greater racial equality were introduced in Northern Rhodesia and Nyasaland, white supremacy would become extremely insecure in any neighbouring state, especially if, as in Southern Rhodesia, about 20% of the African labour force came from Nyasaland. It was logical for Southern Rhodesian settlers to try to prevent this, if they could, by uniting with these territories. The way Huggins put it was, 'We do not want our grandchildren to have as a neighbour a state such as Liberia, which has no European guidance.'¹

The South African Election, 1948

But in May 1948 a far stronger reason for seeking unification was added. This was the final triumph of Afrikaner nationalism in the south, in the shape of Dr Malan's Nationalist victory in the South African elections.

From this moment any resort to closer ties with South Africa as a means of strengthening white supremacy in Southern Rhodesia would be at the price of Afrikaner dominance, including such possibilities as giving the Afrikaans language equal status with English in the schools and the spectre of an eventual republic. The English-speaking settlers of Southern Rhodesia suddenly acquired an acute new sense of isolation.

1. *Johannesburg Star*: 20 December 1948. Another use of the argument referred to in this paragraph was made by Huggins in the *Southern Rhodesian Assembly Debates*: 27 June 1952, cols. 2942-3, with reference to Nyasaland.

What was more, this isolation now had a serious economic side. Southern Rhodesia was running short of the development funds needed for sustaining the rapid post-war immigration which everyone agreed was essential to the future of white supremacy. This was explained in the final stages of the debate on federation (see Huggins, Whitehead and others in *S. R. Hansard*, 26-7 June 1952), but the Government was aware of it by the end of the 1940s. It was feared that the London money market might dry up. There were now very strong objections to seeking support from South Africa and Northern Rhodesia's prodigious copper revenues¹ acquired a fresh significance.

The Nationalist victory in South Africa also helped the amalgamationists in Southern Rhodesia in another way. Before this Huggins had been unable to press for amalgamation because the opposition parties in Southern Rhodesia were representing union with the black north as a threat to white supremacy. The first law of settler politics being never to appear to challenge this principle, Huggins had played down his support for the scheme. But the opposition parties were also associated with the Afrikaner element in Southern Rhodesia, and now the sharp reaction to Dr Malan's success made it possible to defeat them heavily. Within a month Huggins seized the opportunity and in the June elections won a large working majority. The same election also completely eliminated the Rhodesia Labour Party, which as the champion of the white artisan had been the main opponent of amalgamation in the past.

The change of attitude from 1915 was now complete. White supremacy was threatened and this time only unification with Northern Rhodesia could save it. The Europeans of Northern Rhodesia agreed and pressure on the British Government to accept this demand now began in earnest.

The first step was to abandon the demand for amalgamation in favour of a demand for federation. Both the British political parties made it clear that amalgamation was out of the question because public opinion disapproved of what it implied for the Africans of Northern Rhodesia. But, according to Welensky's biographer,² the former Conservative Colonial Secretary,

1. Unspent revenues of over £4 millions piled up in her development fund in 1952-3 alone.

2. Don Taylor: *The Rhodesian*, p. 105: London, 1955.

Col. Oliver Stanley, suggested the alternative of federation; and in October 1948, at a joint meeting in Lusaka, the settlers on the Northern Rhodesian Legislative Council and representatives of the United Central Africa Association (the organisation of the Southern Rhodesian amalgamationists) agreed to adopt this formula. Huggins was not enthusiastic. It made possible the retention of wide powers by the separate governments of the federated territories and might not give sufficient scope to Southern Rhodesian aspirations. But he was persuaded that this was a formula which the British Government might be induced to accept and which could be interpreted so as to give the real substance of power to the central government, which would be controlled by Europeans.

The second Victoria Falls Conference, 1949

A meeting was arranged in February 1949 at which Huggins and Welensky and their chief associates could work out an agreed federal scheme. At this stage three Nyasaland settlers were also invited, and so was Colonel Sir Stewart Gore-Browne, a former leader of the Northern Rhodesian settlers who had in later life been thrown over by them in favour of Welensky for advocating a too 'liberal' policy towards African political aspirations. He had stayed in the Legislative Council as a government nominee to represent African interests and he now came to the conference for the same purpose. No Africans were invited.

The conference was a failure, largely because Huggins's idea of federation was too close to amalgamation to suit the Northern Rhodesian delegates, who thought that (as one of the settlers on the legislative council put it) 'federation would have to be introduced to begin with in minimum, not maximum lines'.¹ A secondary cause of failure was Huggin's refusal to consider African representation in the proposed federal parliament. This would, in his opinion, be 'a farce';

For the time being (he said) the natives must be ruled by a benevolent aristocracy in the real sense of the word . . . our democratic system does not embrace mob law.²

These views do not seem to have reached the Colonial Office,

1. Mr L'Ange: *N.R. Hansard*: 25 November 1949, col. 382.

2. *Bulawayo Chronicle*: 17 February 1949.

or if they did, they seem to have been discounted. But the effect of the whole conference on the Africans of Northern Rhodesia was decisive. Amalgamation they had always opposed. Now, a conference (conducted, as Colonel Gore-Browne said, 'with a maximum of secrecy and publicity') had met to discuss a new proposal – federation – and Africans were excluded from it. If Huggins's contributions, as reported in the press, were a sound guide to what was going on, it appeared to have little to do with promoting African interests and aspirations. Colonel Gore-Browne later recalled:

Almost at once it became clear that the African reaction was one of ever-increasing opposition to the whole idea of federation, which most Africans refused to consider as in any way different from amalgamation. It fell to my lot to travel the country explaining as factually as possible what federation implied.

Having no plan to explain did not make the task any easier. But it would have made no difference if there had been a plan. The African soon became convinced that his freedom was at stake. It is not possible to argue with anyone, black or white, who feels that this is the case. (Article in the *Northern News*: date unknown.)

To the Africans, their freedom seemed to depend on maintaining effective Colonial Office control until they were ready to govern themselves. They thought that the schemes for amalgamation and federation meant exchanging effective control by the Colonial Office for control by the settlers, who were opposed to African self-government.

But at the same time the Northern Rhodesian Government, in spite of an assurance by the Colonial Secretary, Mr Creech Jones, that 'Britain would not forget her promises to Africans', was not offering firm public opposition to the settlers' pressure.

In November 1949 the settlers proposed a motion in the Northern Rhodesian Legislative Council calling on the government to help them in preparing a federal scheme. Instead of moving some amendment, the 'official' or government members of the council abstained from voting. The Government said it had an 'open mind' on the question. This came as a great blow to African confidence.

It is important to realise how the views of the senior officials on the spot (who carried great weight with Whitehall) had swung

round towards the settler viewpoint during these years, following the example set by Sir Hubert Young in the 1930s. The impression which this change made on the officers of the provincial service has been recorded by Commander T. S. L. Fox-Pitt, who retired in 1951, after reaching the rank of Provincial Commissioner:¹

It would be possible to make a catalogue of liberal legislation which would begin from the first occupation and run through until the present day and claim that here was an unbroken course of progress. That would not be true. Somewhere in that line of administrative effort there is a change of direction and the honest wish to do the best by the Africans changed to a willingness to give up the struggle and let the settlers have their way for better or worse. I don't believe the change came suddenly but that it grew from a relaxation of effort to a final surrender over the course of a few years.

Up to the time when Congress began to express the unrest of the people there had been a number of noticeably liberal enactments. The African Representative Council was established in 1945-46. The Native Trust Land Order in Council was made law in 1947. In 1948 the African Representative Council was given the right of submitting the names of two Africans to the Governor as Members of the Legislative Council. In 1948 the Native Authorities were re-organised with Ministers responsible for the expenditure of Native Treasury funds. But in 1949 Welensky called the first Victoria Falls Conference to discuss amalgamation with Southern Rhodesia. In 1946 the European Miners' leaders, Godwin and Maybank, told me that they recognised that they had responsibilities towards the African mineworkers and in the same year during the European Artisans' strike they sent round notices to the African workers explaining the meaning of workers' solidarity. Yet in 1948 they refused to give evidence before the Dalglish Commission on the advancement of Africans.

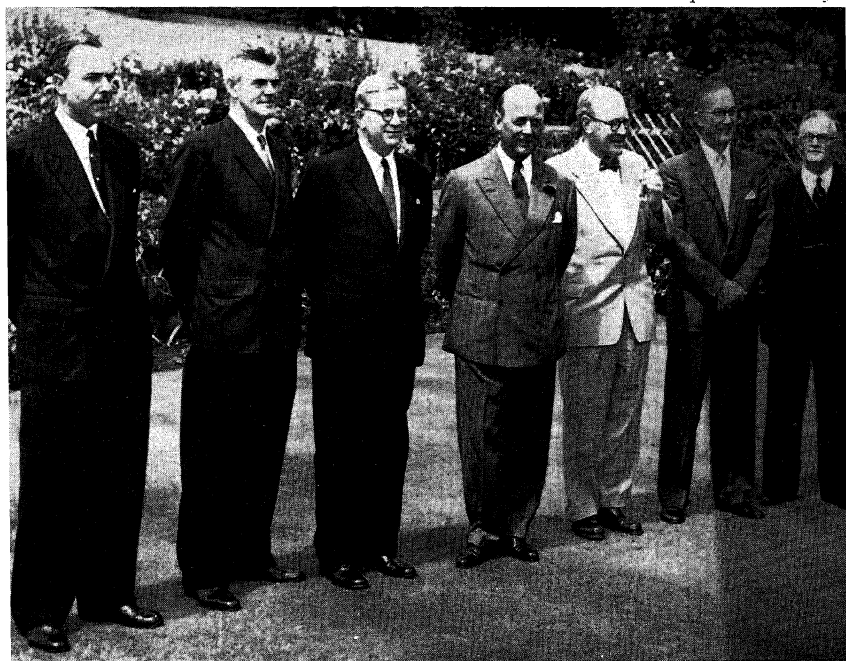
In 1947 a Co-operative Department was formed and many African producers' Co-operatives were established but in 1950 the Governor agreed to allow the European tobacco growers of Fort Jameson to veto the right of an African Co-operative to sell Virginia tobacco.

During this period good alternates with bad but it is clear that European feeling against Africans hardened steadily between 1945

1. From a paper prepared for the private conference on Central Africa held in Oxford, 19 April 1959.

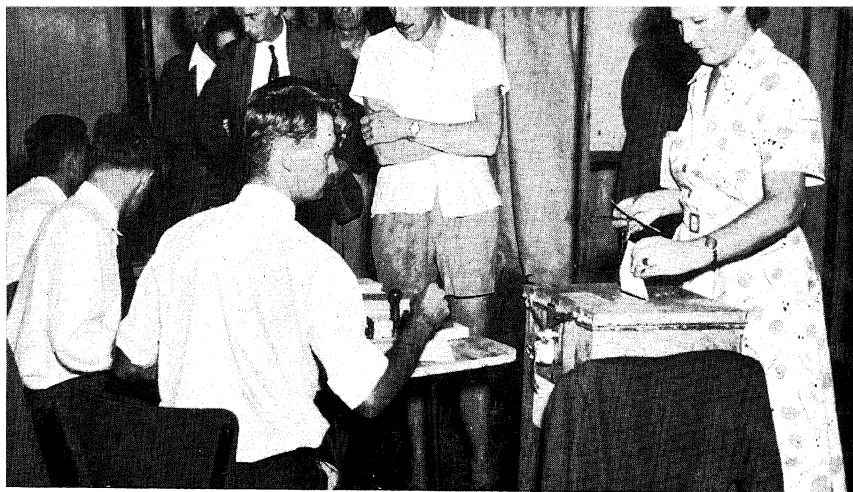


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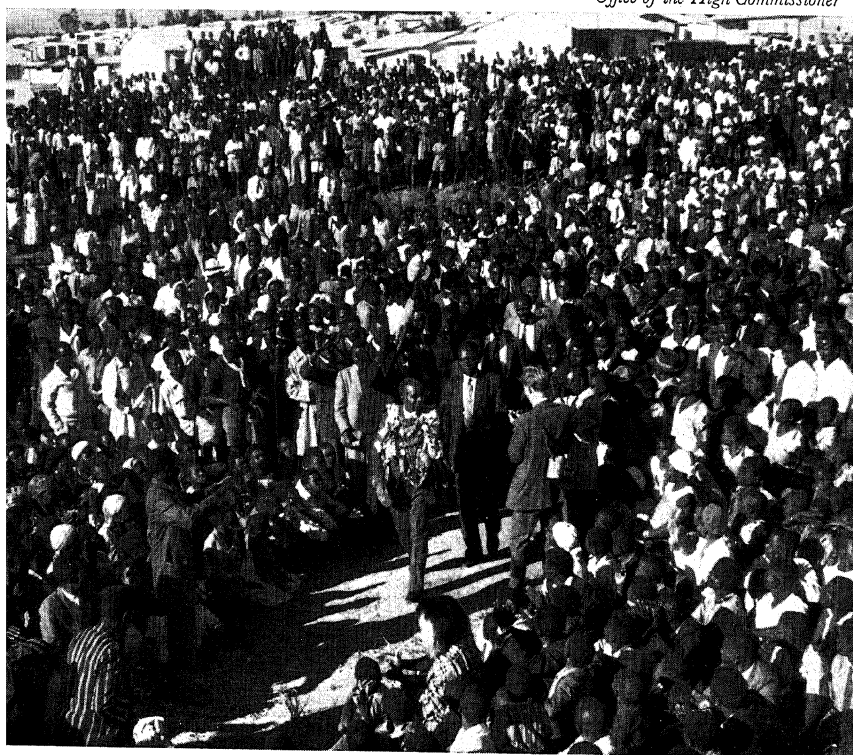


Associated Press

PLATE I *Top* Lord Malvern, formerly Sir Godfrey Huggins, and Sir Roy Welensky *lower* Southern Rhodesia Cabinet (l. to r.) Mr G. Ellman-Brown, Mr R. S. Garfield-Todd, Sir Edgar Whitehead, Sir Peveril William-Powlett, Sir George Davenport, Mr C. J. Hatty and Mr R. Knight, Q.C.



Office of the High Commissioner



Colin Legum

PLATE II *Top* Polling booth, Federal General Election, 1958.
 Lower Crowds welcome Dr Banda on his return to Nyasaland,
 6 July 1958.

and 1949, and that the Government began to realise this and to give way and conciliate when it might have been firm.

Welensky signed the Report of 1946 that led to the Native Trust Land Order in Council of 1947. The Native Reserves were already 54,000 square miles, and this Order added 171,000 more square miles, though it bound them up rather less securely. It left 17,600 square miles of Crown Land nominally open to all but virtually reserved for non-Africans. A year or two later Welensky was severely criticised by his own people for his part in this but he countered by claiming that he would do away with all native land rights if other forms of colour bar had to go. He claimed that the land was still available if needed and he has proved to be right. (See, e.g. Order in Council 296 of 1959.)

The growth of African education was very fast throughout this period but difficulties appeared about 1949. There was an unaccountable delay in the reorganisation of teacher training colleges and in the increase in pay for African teachers. The shortage of teachers was the constant excuse of the Government but it was a shortage for which its policy was responsible. In 1949 the Public Works Department were instructed to give first priority to the building of police quarters. European schools came high on the list and some very lavishly got-up European schools were built. But the work of building accommodation and schools for Africans was thrown on to the officers of the African Education Department, who were already very busy men. African education suffered but the police prospered. By 1953 as much money was being spent on the police as on African Education. They have kept level since.

These tendencies are recorded as impressions. They came to me in a hundred conversations with colleagues and settlers and increasingly in the last years of my service in conversations with Africans.

When I was District Commissioner in Kitwe in 1946, I used to spend two evenings a week teaching 'advanced English' in an African night school. After a set period of orderly instruction there was a time for conversation, and conversation was always politics. Africans were fairly confident in 1946 that things were going their way. When I retired in 1951 and went back to live on the Copperbelt, political conversations were very different. All hopes had been betrayed by the Federation proposals and I found that Africans saw this as the culmination of a tendency that had grown over the intervening years.

During the same period the Europeans of Northern Rhodesia had been forced to give up the idea that successive British Govern-

ments would help them forward to the same sort of self-government with undisputed white dominance that had been achieved in Southern Rhodesia. It was very clear that this could only be assured by some sort of union with Southern Rhodesia. The alternative was to share authority increasingly with Africans. To very few settlers was this thinkable and they used as part of their fight against it an unrelenting disparagement of all African effort and all things African. The civil servants, even those in the administrative service, began to accept the disparagement. There was family life and more Europeans on the stations. They saw less of Africans in the settings where they were superb, as watermen and hunters. They saw more of them as misfits in urban and industrial life. They travelled less in the African way and among Africans and more by motor-car. Their homes were more comfortable. By 1935 every official was entitled to a 'Kosirest' bed. Some of us dated the decay of the service from that year . . .

District Commissioners were moved from station to station at shorter intervals. They had no time to identify themselves with the people of their districts. The old D. C.s would defend 'their people' against dishonest labour recruiters and other exploiters, but that time was past.

The settlers said that Africans were hopeless. The civil servants began to agree. The Government at home got no response from anyone in the territory to their optimistic forecasts of African advance.

* * *

To return to the winter of 1949-50. The Southern Rhodesians were the next to bring pressure to bear.

In January 1950 the Southern Rhodesian Government gave notice of its intention to leave the Central African Council within twelve months. The official reason was that the Council could not work satisfactorily without 'executive powers'. But in fact the Council had by this time done a great deal of effective work. Even the Southern Rhodesian Government acknowledged this by agreeing to replace the Council by a 'Joint Inter-Territorial Secretariat' which, in effect, simply made it possible to go on running those institutions set up by the Council which benefited Southern Rhodesia.¹ The torpedoing of the Council really amounted to an ultimatum that unless the British Govern-

1. *Colonial Office Bulletin*: 30 April 1952.

ment agreed to federation, the Southern Rhodesian Government might seek some sort of integration with South Africa.¹

This was largely bluff. Few Southern Rhodesians were yet aware of the economic isolation of the country, and most were very hostile to the idea of closer ties with Nationalist South Africa. Huggins could not have survived politically a practical proposal of this kind. But, to judge from their published views in the report of the Officials' Conference of the following year, the leading civil servants in the Colonial and Commonwealth Relations Offices did not realise this and took the threat seriously. This was important because, in February 1950, Creech Jones lost his seat in the General Election.

His successor, Mr James Griffiths, had little experience of colonial affairs when he took office, and from this moment Huggins and the civil service protagonists of federation began to get their way. In March, Huggins visited London. In July he asked for a conference of officials from all three territories, the Colonial Office and the Commonwealth Relations Office, to explore the practical questions involved in federation, and in November Griffiths agreed; but it seems likely that he agreed, at least tentatively and unofficially, in March, within his first month of office; for by midsummer civil servants from all three territories were already co-operating to produce a comparative survey of 'native policies', which the press expected to 'demonstrate that both in theory and practice there is less difference between the Native policies of the three territories than is generally realised.'² Actually it failed to demonstrate this but it argued it, and in 1951 it was the most important working paper for the Officials' Conference. The report was not confined to a factual discussion of practical questions but strongly recommended federation.

1. It was regarded in this light by Mr Creech Jones: see his *African Challenge*, p. 8: London, 1952.

2. This report appeared in the *Johannesburg Star* of 14 July 1950.

CHAPTER 3

FEDERATION

The officials' conference in Downing Street in January 1951 was the real turning-point. It was attended by the chief officials from the Northern Rhodesian and Nyasaland governments, the heads or assistant heads of eight major departments of the Southern Rhodesian Government, and the secretary of the Central African Council and his designated successor. The chair was taken by the Assistant Under-Secretary of the Commonwealth Relations Office, Mr G. H. Baxter. His approach was not impartial. In 1956 he told a BBC interviewer:

It suddenly came to me, almost with the force of a conversion, that the change had to be brought about. . . . The politicians had had their whack, and I worked to see whether the officials from both sides could put their heads together and achieve something. Rather surprisingly, we were allowed to have a try. (*East Africa and Rhodesia*: 27 December 1956.)

Although the Colonial Secretary had said that no proposals which the conference might make would commit any of the governments concerned, this was quite unrealistic. The officials from Northern Rhodesia and Nyasaland virtually were the governments concerned. It would have been impossible not to publish the report of the conference, and extremely difficult to ignore the public recommendations of so many of the British Government's own principal advisers. To agree to such a conference was really to abdicate the power of decision in favour of the civil servants concerned.

The key working-paper for the conference was the *Comparative Survey of Native Policy* (Cmd. 8235). It is instructive to look back today at the general conclusions which the officials drew from it. The facts were painstakingly collected and arranged. One by one the differences between the territories were faithfully recorded. The constitutional differences were explained, showing how in

Northern Rhodesia and Nyasaland the British Government was in control while Southern Rhodesia had a government elected by the settlers; and the survey told how British policy was to introduce Africans to complete local self-government and a direct share in central government forthwith, while Southern Rhodesian policy was to withhold political advance, even in local government, until Africans were *equal* to Europeans in 'health, material well-being and education'. It described the development of African local self-government in the northern territories, and the lack of it in Southern Rhodesia; the growth of African representation in the central legislative councils in the north, and the lack of it in the south; the relatively small areas of leasehold land allotted to settlers in Northern Rhodesia and Nyasaland compared with the legal allocation of over half the total area of Southern Rhodesia – and the better parts at that – to exclusive use of the white population. The survey also explained the legal support given to the industrial colour bar in Southern Rhodesia, and the way in which African trade unions there were legally debarred from registration, compared with the two northern territories, where trade unions were registered and helped by the government and where the colour bar in employment was largely confined to the Copperbelt and had no legal sanction. The civil service colour bar in Southern Rhodesia was mentioned too.

Every one of these facts was specifically noted by the officials in their report (Cmd. 8233), although there were some significant slants and omissions in their notes. For instance they did not comment on *how* land was apportioned in Southern Rhodesia, but merely said that the Land Apportionment Act 'declared special European and Native Areas'. They also called attention to the fact that in Southern Rhodesia 'Europeans and Africans share a common voters' roll', but omitted to mention that the means qualifications kept the share of African voters down to less than 1% of the total. On page 10 of another of their working papers, *The Geographical, Historical and Economic Survey* (Cmd. 8234) it was actually stated that the government of Southern Rhodesia was based on 'universal adult suffrage'.

The facts were very clear. It did not call for a high degree of social imagination to recognise in Southern Rhodesia the portrait of a White Man's country, with its apparatus of Euro-

pean social and economic privilege underpinned by a monopoly of political power. The difference between this and the society towards which British policy pointed, however hesitantly, in Northern Rhodesia and Nyasaland was equally inescapable. One was a society based on the principle of white supremacy. The other was not; at least, not yet.

But the officials did not see the facts in this light. They declared instead:

The most striking conclusion which we draw from our examination of the survey is the degree of similarity between the policy and practice of the three Governments, rather than the degree of difference.

It was true, they said, that

differences of policy still exist in political development (particularly representation of Africans in central politics), land allocation, certain aspects of the employment of Africans and the recognition of trade unions for Africans.

Professor Kenneth Kirkwood protested at the time that 'problems of land, labour and political representation are *the* problems in Africa's "plural societies"'.¹ But the officials said:

We believe that these differences, although important, relate largely to methods and timing and that the ultimate objective of all three Governments is broadly the same, namely the economic, social and political advancement of the Africans in partnership with the Europeans,

and they concluded that differences in native policy need no longer stand in the way of closer association.

Yet the differences which the officials dismissed in this way were the whole issue at stake in Central Africa, as both the Bledisloe Commission and the Hilton Young Commission had clearly realised. Differences in 'native policy' were really differences between two fundamentally opposed ways of life and the struggle between them was now being fought out in Northern

1. K. Kirkwood: *The Proposed Federation of the Central African Territories*, p. 19: Johannesburg, 1952.

Rhodesia. The twin aims of the Europeans in pressing for federation, to win the struggle for white supremacy in Northern Rhodesia and to safeguard it in Southern Rhodesia without absorption by the Union, had not changed. This was what Huggins was understood to mean when he told the Southern Rhodesian Assembly:

The scheme in front of us now is for the emancipation of Northern Rhodesia and Nyasaland and for the preservation of Southern Rhodesia. (*S.R. Hansard*, col. 2957, 27 June 1952.)

But with this fact out of sight, the officials turned to prophesying the economic, strategic, administrative and 'moral and social' benefits which closer association would bring to Central Africa. Their conclusion was that not only was it needed, but needed urgently. The reason given for urgency was that Central Africa had reached a crucial stage of political development and, in effect, that only closer association could save it from the influence of the *apartheid* policy being pursued in South Africa. And therefore, after rejecting amalgamation, because the Africans objected to it, and a loose 'league', because that would not satisfy the Europeans, they recommended federation, and outlined a detailed federal scheme.

The officials' political argument, that federation would save Central Africa (i.e. Southern Rhodesia, in practice) from *apartheid*, was not developed very explicitly. This was partly due to over-tenderness towards Dr Malan's feelings. But it may also have been because the argument was extremely weak. In practice Southern Rhodesian 'native policy' and *apartheid* were extremely close, far closer than the native policies of Southern Rhodesia and the two northern territories, which the officials described as different only in 'method and timing'. In fact the Southern Rhodesian laws on the subject were largely modelled on South African ones.

The argument that federation would save Southern Rhodesia from *apartheid* did not really rest on existing facts but on a promise that Southern Rhodesia, unlike South Africa, would reform, provided it was federated to Northern Rhodesia and Nyasaland. The idea was that unlike the Europeans of South Africa, those of Southern Rhodesia had decided, if granted

federation, to accept African aspirations and to abandon the policy of white supremacy. Yet this was not what Huggins told the electors, nor was it what those electors, or the Europeans of Northern Rhodesia, wanted federation for. The officials could not point to any evidence that the Southern Rhodesian Europeans had yet actually modified the system of white dominance, or were beginning to do so. The political argument for federation came down to a hope that with federation the Europeans of Central Africa would cease to insist on privileges which they really expected federation to preserve.

It must be remembered, however, when the inadequacy of the officials' assumptions is reviewed today, that British public opinion in 1951 was less hardened than it is today to the emerging pattern of *apartheid* in South Africa, and that Huggins and Welensky in particular, who had more contact with British opinion than most of their political colleagues, were from time to time voicing much more liberal sentiments than any which were to be heard from official quarters in Pretoria. For example, the Comparative Survey of Native Policy relied heavily on a speech made by Huggins in which he described Southern Rhodesia's native policy as being guided by the principle of 'partnership';¹ and the great personal charm of both men, and their ascendancy over their nearest political rivals in Central Africa, probably did much to distract attention from their dependence on voters who were mostly far from sharing all the views which these two leaders privately expressed on their visits to London. Even today there is probably a tendency in Britain to think too much in terms of the views of individual European leaders, who in the course of their relations with Whitehall play an extremely prominent role which does not always necessarily correspond to their power to influence events in Central Africa. Today, however, there has been time for analysis. In 1951 there was a strong temptation to regard *apartheid* as the product of Afrikaner Nationalism alone and to avoid asking how far it was the outcome of tensions which were also inherent in the Southern Rhodesian situation and which federation would not remove.

The officials' detailed proposals for federation showed that it was scarcely possible to concede the substance of what the Europeans wanted without sacrificing African interests. Various

1. Cmd.8235, p.6.

constitutional 'safeguards' were included. One of the main ones was a special 'Minister for African Interests' in the Federal Government, independently appointed by the Governor with power to 'reserve' any proposed executive action of the government for prior approval by the Secretary of State in Britain. A second was an African Affairs Board, headed by this Minister, and drawn from officials, settlers and Africans outside the federal parliament. This would have similar powers to 'reserve' proposed legislation. Critics said that if the settlers were given effective control of the Federal Government these safeguards would be as useless to protect African interests as 'constitutional safeguards' had proved in South Africa. Even so, they were subsequently either removed or amended under pressure from the Europeans, who undoubtedly did also get effective control of the federal government.

But with these and some other changes, the officials' scheme finally became the federal constitution. Essentially, it came down to three main features, the division of powers as between federal and territorial governments, the form of federal government and the 'safeguards'.

The division of powers

The main explanation of this division was that 'those services which have a specially close relation to the day-to-day life and work of the African peoples' should continue to be provided by the territorial governments. But the general effect was that the federal government was given a very wide range of powers indeed. Here is the division proposed by the officials:

FEDERAL	TERRITORIAL
External Affairs	Provincial and Native Administration
Defence	
Immigration	Income tax (territorial)
Economic planning and development	Agriculture
External and certain aspects of inter-territorial trade	Forestry
Income tax (federal)	Veterinary services
Customs	Game
Census and statistics	Fisheries
Railways	Co-operation
Civil Aviation	Marketing
	Health

Trunk roads	African Education (primary and secondary)
Electricity Supply and Distribution	Labour
Posts and Telecommunications	Mines
Broadcasting, Films and Tourism	Local Government
European Education (primary and secondary)	Police
Higher Education	Prisons
Medium and long term research	Public works (territorial)
Surveys	Roads (not trunk)
Major water development	Irrigation (not major)
National Parks	

The federal government was thus to get control of foreign affairs, of the armed forces, of the economy, of communications, of some key development services and the major sources of revenue. It was clear, even on this division, that whoever controlled the federal government would control effective power. Power therefore passed out of the hands of the territorial governments, although much remained to be done by them. Yet this did not go nearly as far as the division of powers which was finally made. Some territorial functions were transferred to the federal government, others went into a 'concurrent list' in which both governments had power, but with federal law prevailing in case of inconsistency. The traffic was all one way. The following powers were finally removed from the list of territorial functions drawn up by the officials' conference:

- Income tax
- European agriculture in Southern Rhodesia; the northern territories were free to hand it over to federal administration, and Northern Rhodesia soon did
- Veterinary services in Southern Rhodesia (the same provision was made as for European agriculture in the two northern territories)
- Co-operatives (except where a majority of the members were African)
- Marketing
- Health
- Town planning
- European police forces
- Prisons
- Roads

By the end of this process the territorial governments had relatively few powers, apart from 'provincial and native ad-

ministration', which are not possessed by local governments in most unitary states. And the federal government had powers affecting the 'day-to-day life and work of Africans' in countless ways.¹ Who, therefore, would really control the federal government?

The federal government

The federal government would be responsible to the federal assembly, which was to be made up like this:²

	S. Rhod.	N. Rhod.	Nyasaland	Total
Elected (theoretically any race)	14	8	4	26
Elected Africans		2	2	4
Nominated members for African interests (unspecified race)	3			3
Nominated Europeans (for African interests)		1	1	2
Totals	17	11	7	35

The three representatives of African interests from Southern Rhodesia were to be nominated by the Governor. This idea later went the way of the Minister for African Interests. In the final scheme, although two were to be Africans, all three were elected on the same basis as the 14 other Southern Rhodesian members, which meant that they were elected by the 'common roll', 99% of which consisted of Europeans and 1% of Africans. The 8 elected members of any race from Northern Rhodesia were also to be elected by a 'common roll' (like Southern Rhodesia's) which contained in 1953 precisely 11 Africans; and the 4 elected members of unspecified race from Nyasaland would be elected by the (all-white) Convention of Associations (this was later changed to direct election by virtually all adult whites and some Asians). No provision was made for a new franchise law.

In short, even on the officials' original scheme, the settlers would have controlled 26 seats in the federal assembly. In the final scheme they controlled 29, over three-quarters of the total.

1. In Lord Malvern's opinion, as much as or more than the territorial governments' powers do (see his speech to the second Federal Party Congress, September 1954).

2. With the changes described in the next paragraph this was the shape of the Federal Assembly until 1958.

To them, this was indeed of the very essence of federation, as the Southern Rhodesian Minister of Justice explained:

To the extent that Northern Rhodesia and Nyasaland have given up powers to the Federal Government, to that extent they have escaped from the domination of the Colonial Office; and I think myself the principal gain politically in the federal scheme is that a tremendous measure of control in that part of Africa will be taken away from the Colonial Office and put under the control of a number of our own elected members of parliament and others like them, elected in Northern Rhodesia. (Speech to a meeting of Civil Servants in Salisbury, 23 October 1952.)

Or as Huggins more bluntly told his party:

Once the Imperial government have granted this constitution they have lost all control – don't forget that. (Speech to the Matabeleland Executive of the United Party, 16 July 1951.)

The 'Safeguards'

The officials' conference (and later on, the British Government) took the view that the Europeans were more than fit to be trusted with the power which the federal scheme gave them. But to make assurance doubly sure the scheme included certain provisions which, in theory, would act as safeguards. The Europeans were to promise "to abide by our wish that they should rule in our spirit and never more so than when they don't", as one observer remarked at the time.¹ Two of the safeguards have been mentioned already – the Minister for African Interests and the African Affairs Board. The Minister was soon dropped from the scheme and the Board was modified. But the power of both depended on the practice of 'reserving' government actions or federal laws for a potential veto by the British Government and this power remained in respect of laws which discriminated against Africans and various other kinds of law. Many Southern Rhodesian settlers took the view taken by the Rhodesia Labour Party in 1936 and opposed any federal scheme which did not give the federal government a completely free hand. But the truth of the matter was again summed up by Huggins. The British Government, he said, in the same speech of 16 July 1951,

1. J. Huizinga: *Mr Lyttelton's Swansong*, p. 10: London, 1953.

know that in practice the reservations (in the Southern Rhodesian Constitution, which were roughly the same as those proposed for the federal assembly) are not worth the paper they are written on.

and he recalled explaining why to Mr Creech Jones, in a conversation before the war.

He (Creech Jones) said, 'What happens if you insist on carrying out something which is reserved and we don't agree to it?' I said, 'We just have a general election and go on and do it. You can't do anything.' He agreed.

After the report of the officials' conference was published, events began to move fast. The British Government called the scheme a 'constructive approach' and promised consultations. Huggins and Welensky gave it general support, subject to certain changes. These turned out to be the ones already mentioned, widening the powers of the federal government and consolidating settler control of it. There was criticism of the scheme in Britain, where people pointed out (a) that Africans in the two northern territories were opposed to it, and (b) that Huggins's declarations of liberal intentions did not commit his electors or even his political colleagues, and (c) that the 'safeguards' were unlikely to prove effective.

African opposition became widespread and intense. Not merely the Congress organisations, but the chiefs and councillors in the villages, seemed almost universally opposed. At a meeting on 12 September 1951 of the African Representative Council in Northern Rhodesia, consisting largely of such men, speaker after speaker made it clear that they saw federation as merely amalgamation in disguise.

We all know very well that the aim of British policy in Africa was clear and unequivocal, namely ultimate self-government but . . . It did not seem to be true of Northern Rhodesia . . . the aim of policy was not self-government in the sense of majority rule, but the extremely ambiguous term of partnership of the white and black community. I have used this word 'ambiguous' because partnership is only used on lips and paper and is not in practice.

We are looked on as inferiors, and what the European is striving for is European supremacy. . . .

We Africans know the Colonial Office government very well and the benefits we have received from this government. We are quite determined in rejecting federal government because we are well aware of the attitude of most Europeans towards the African people in this country. There is no doubt about this. . . . I say that if any union comes at all it will have to be imposed by brute force and I can assure you that this territory of Northern Rhodesia will not be at peace.¹

The representatives' speeches showed that they had studied the federal proposals in some detail and understood that it transferred the balance of power to the Europeans on the spot. They also discussed the 'strategic and economic arguments' for federation, pointing out that federation had not been necessary for perfect military co-operation in two world wars and that economic integration had already been achieved on a large scale without political union. They did not belittle economic progress. But they questioned whether federation was really essential to bring it about; and as the Nyasaland chiefs were to declare, in a petition to the Queen two years later, they were in the last resort 'not willing to purchase economic advancement by the sacrifice of political rights and civil liberties.'²

The history of 'safeguards' in the Union of South Africa had, they pointed out, led them to distrust them entirely. 'We live in a changing world,' remarked the first speaker quoted above, 'and undoubtedly the same spirit which removed the doctrine of paramountcy will consecutively remove the safeguards.'³ Speaking in his own language, one of the chiefs summed up his people's views in the following words:

In opposing federation we take into account the policy in Northern and Southern Rhodesia. The policy in Southern Rhodesia is that of slaves, because the Europeans fought with the Africans. . . . We in Northern Rhodesia are under protection, and therefore we

1. Mr D. Siwale: *African Representative Council Proceedings*: 12 September 1951, cols. 5-8.

2. *A Petition to Her Majesty Queen Elizabeth II Against Federation Made by Chiefs and Citizens of Nyasaland*, p. 10: London 1953.

3. Mr D. Siwale: *African Representative Council Proceedings*: 12 September 1951, col. 7.

cannot live together with slaves. When the Europeans came to this country there was no fighting, we received them as friends. How then can we change this now, take a leopard and put it in with the goats? The goats will not be safe.¹

The third Victoria Falls Conference, 1951

In September 1951, Mr Griffiths and the Commonwealth Relations Secretary Mr Gordon-Walker visited Central Africa. Mr Griffiths began his tour by holding a long series of meetings with provincial and district councils of African representatives in Northern Rhodesia and Nyasaland. These chiefs, elders and councillors were men who had often been praised by the administration for their moderation and conscientious attention to the interests of their people. At the end of the series no doubt remained as to the total and absolute nature of African opposition.

A conference had been arranged at Victoria Falls. Huggins was to bring other Southern Rhodesian ministers and opposition party leaders; the Governors of Nyasaland and Northern Rhodesia were to bring their chief officials and representatives of the European community, and this time Africans from the two northern territories were invited too.

But by now the intensity of African opposition was so clear that Huggins tried to get the conference postponed.² Observers thought that his hopes were pinned on the possibility that there would soon be an election in Britain, where the Labour Party was now holding office by a bare margin of seats. A Conservative Government, it was thought, might be more favourable towards the settlers' aims.

But Griffiths refused to postpone the meeting. In his view, African consent was essential to any scheme of union.

The Southern Rhodesians brought with them an agreed all-party statement of 'minimum requirements' of changes in the officials' scheme. But they never got as far as putting it to the conference. The Northern Rhodesian Africans said they would

1. Chief Kopa: *ibid*, col. 17.

2. Huggins subsequently made this clear in several public statements. An early one was reported in the *Johannesburg Star* of 5 October 1951. For Huggins's own version see especially his speech as Lord Malvern to the House of Lords on 24 March 1959, where the imminence of the 1951 election as a factor in his calculations is also acknowledged by implication.

agree to federation only if 'partnership' were first defined to their satisfaction and then progressively implemented in Northern Rhodesia. The Nyasaland Africans opposed federation on any terms. The gulf between settler and African aspirations was unbridgeable and the conference ended in deadlock.

On the third day, Huggins presented what Gordon-Walker at once called an ultimatum. Huggins said that he saw no use in continuing discussions with the Africans present, and proposed that the European representatives from the two Rhodesias alone should remain to discuss some modified form of closer association. The two British Ministers refused outright. Meanwhile, it was announced during the conference that a General Election would be held in Britain in October.

The conference communiqué admitted the deadlock.¹ It noted that the Southern Rhodesian Government wanted various points in the officials' scheme altered before any further meeting of the conference (which was technically adjourned). The participating governments also declared themselves agreed that if any form of closer association were decided on:

1. The two northern territories should remain Protectorates, so that amalgamation was permanently excluded unless 'a majority of the inhabitants of all three territories desired it';
2. Land questions would remain territorial responsibilities, and African land rights in the northern territories would be unchanged;
3. Political advancement of the people of the northern territories in local and territorial government would remain a territorial government responsibility.

Huggins said that the conference 'degenerated into a Native Benefit Society meeting led by the Secretary of State for the Colonies.'² This was because Mr Griffiths refused to push through federation over the Africans' opposition, even though the communiqué also said that 'the Conference, with the exception of the African representatives, showed itself favourable to the principle of federation.' But in October the Labour Party lost the election, and the nettle passed into the confident grasp of a Conservative.

1. See Annex to Cmd. 8573.

2. *Southern Rhodesian Assembly Debates*: 19 November 1951, col. 3539.

Within a month the new Colonial Secretary, Mr Lyttelton, announced (Cmd. 8411) that the Government was convinced of the urgent need for federation and would re-open the adjourned conference in July 1952. He acknowledged that 'African opinion in the two northern territories had declared itself opposed to the proposals in the officials' report' but he trusted that, in view of the benefits federation would bring and the assurances in the communiqué mentioned above, 'they would be prepared to accept' the scheme. It soon became clear that the Government intended, as Huggins had hoped, to go ahead in spite of African opposition.

The London discussions, January 1952

In January 1952 Huggins and the Governors of the two northern territories visited London for private discussions with the Secretaries of State. Huggins told a press conference:

It is terrible that the people elected to look after the drains in Shoreditch should really have control of huge territories in the middle of Africa. (21 January 1952; verbatim mimeograph record issued by Rhodesia House.)

He made it clear that Welensky and the other settlers' representatives at the last Victoria Falls Conference had pledged support for him in insisting on various changes in the officials' scheme. The extent of these changes only became clear after the reassembled conference was over. For the time being the only public result of these talks was that the date of the conference was advanced to April 1952.¹ Most newspapers guessed that the aim was to hurry federation through before the Africans and critics in Britain could mobilise effective opposition. Huggins said quite frankly:

Part of the hurry is that the Africans, if nothing is done, with the propaganda they have got going, will become more and more averse to it, and you might even have trouble if you did it. (*Manchester Guardian*: 5 February 1952.)

The British Government, when questioned in Parliament,

1. See the communiqué published after the talks, reprinted in *Hansard*, 5 March 1952, cols. 421-2,

refused to undertake not to impose federation against African opposition. (*Hansard*, cols. 253 and 332-4, 4 March 1952.)

The Lancaster House Conference, April 1952

The Southern Government nominated two African delegates to this conference. These nominees attended all the discussions. Three more Africans came from Northern Rhodesia and two from Nyasaland. But these delegates, after consultations with the Colonial Secretary, finally decided to boycott the talks. Their stated reasons (*The Times*, 28 April 1952) were that the talks were to be closed to the public, and that they were not allowed to see the agenda before deciding whether to attend. They had been sent by their people to oppose federation and they suspected that (a) the agenda contained various Southern Rhodesian demands for strengthening settler control, and (b) if they attended secret talks, the government and the settlers would later play down the degree of African opposition and imply that the Africans had been partly responsible for the final scheme. At the time, even their sympathisers in Britain were critical of this decision. But the British Government was determined to go ahead with federation and even if the Africans had voiced their opposition at the conference, they would not have prevented it. In due course, moreover, the government did do a great deal to try to minimise the evidence of African opposition.

The report of the conference took the form of a Draft Federal Scheme (Cmd. 8573). The main changes from the officials' scheme were the following:

- (a) The Minister for African Interests was abolished.
- (b) The Chairman of the African Affairs Board was to be a private individual appointed by the federal Governor-General. The number of other members was reduced from nine to six, although none could be M. P.s or public officials. The functions and powers of the Board were also reduced.
- (c) The four Nyasaland members of the federal assembly who in the officials' scheme would have been elected by the Convention of Associations, were now to be directly elected, under provisional rules made by the Governor.
- (d) Two of the three members representing African interests in Southern Rhodesia were to be Africans; but all three were to be elected by the 'common roll', not nominated.

- (e) The powers of the federal government were increased in a first instalment of changes along the lines shown above (p. 26).
- (f) There was a preamble to the draft scheme. It declared among other things that the northern territories would remain Protectorates, with separate governments 'responsible for local and territorial political advancement, so long as their respective peoples so desire'.

So far, these are changes already discussed. But finally, two more vital ones were added:

- (g) The first federal parliament would have power to fix a federal franchise.
- (h) Bills affecting the electoral law, and all constitutional amendments, would require a two-thirds majority of the federal assembly.

As we have seen, over three-quarters of the Assembly would from the first be controlled by Europeans. Consequently these were vast extensions of their power for the future.

Once these proposals were made public, the debate in the press and elsewhere became intense and lasted for a year. Yet very few changes were made after this time. The scheme now represented a bargain between the British and Southern Rhodesian governments, a bargain made in secret so that the extent of the concessions made on both sides could be minimised in public. The issue in the controversy was whether either side could be prevented from concluding this bargain through fear of the unpopularity it might arouse.

The Southern Rhodesian Government was opposed by settler politicians who said federation would threaten white supremacy. They objected to any scheme which did not

- (a) Apply Southern Rhodesian native policy all over Central Africa by making native affairs a responsibility of the federal government.
- (b) Abolish special representation of African interests in the federal parliament.
- (c) Abolish the African Affairs Board.

Huggins and his supporters replied that the scheme was the best they could get; that the changes which had been made removed

the most serious objections to it and that it would be policy in the two northern territories which would be most altered. One scare raised by settler critics was that Africans would flood the federal voting rolls and 'swamp' the European voters. This, said Huggins, was absurd, since the Europeans could always alter the law to prevent this.¹

The British Government was opposed in Parliament by the Labour Party and the Liberal Party, and outside it the opposition spread from groups like the Africa Bureau and the Fabian Colonial Bureau through a much wider segment of informed public opinion: prominent Quakers, academic authorities like Miss Margery Perham and Sir Keith Hancock, the London Missionary Society, and the International Confederation of Free Trade Unions among others. The Archbishop of Canterbury joined the Moderators of the Church of Scotland and the Free Church Federal Council in expressing misgivings and making an appeal that no irrevocable step should be taken. All these critics based their opposition mainly on African opposition, believing that to impose federation without gaining African consent would lead to conflict and disaster. The Labour Party had originally said that African opinion must be consulted and in 1951 Griffiths had shown that this was seriously meant. But the word 'consulted' was now a broken reed. At a meeting of the Northern Rhodesian African Representative Council, the government dealt as follows with the pledge that African opinion would be consulted:

- | | |
|---|---|
| Mr Nalumango: | We have been told on several occasions that nothing could be done on Federation without consulting us and getting our consent . . . |
| The Secretary
for Native
Affairs: | You said that you had been informed that Africans' consent would be obtained first. I don't remember Africans ever being assured that their consent would first have to be obtained. They were assured that they would be consulted and they have been consulted. (<i>Proceedings</i> , 5 December 1951, col. 56.) |

But the most fateful opposition of all was that of the Africans themselves. In August 1952 the Northern Rhodesian Congress

1. Speech reported in the *Johannesburg Star*: 29 July 1952.

published a programme for political development for the territory, beginning with equal group-representation for Europeans and Africans and proceeding by a series of transitions towards an eventual common roll with manhood suffrage. This was a reply to the Northern Rhodesian Government's *Draft Statement on Partnership*, published in April, which held out to Africans this future:

In the political sphere, Africans will be able to advance until ultimately (so long as representation on racial grounds remains) they have the same number of representatives as the Europeans in both the Legislative Council and the Executive Council, when they are fit for this.

The evidence grew that the main implications of federation were understood and feared by Africans, even in remote areas, in both the northern territories. The *Observer's* correspondent wrote that 'except for a few individuals this opposition is unanimous,' and the evidence of anthropologists and missionaries who were working in the two Protectorates at the time confirms this judgment. The British Government, on the other hand, took a different view. Mr Lyttelton's chief deputy, Mr Hopkinson, said after a visit in August 1952 that he was quite satisfied that 90% of the African population knew nothing about federation at all. But it was not disputed that of all the Africans who did know anything about it, virtually all were bitterly opposed to it.

The Congresses of the two territories briefed counsel in London to explore the possibility of appealing to the United Nations or the International Court, but his opinion was that the Court would not hear an appeal from the chiefs and that the United Nations would be unlikely to help either. In Nyasaland, several thousand people contributed from slim resources of cash to send a delegation of their chiefs to London to petition the Queen. They arrived in January 1953. On the advice of the Government the Queen refused to receive their petition in person.

The Carlton House Terrace Conference, 1953

The final conference met in London in January 1953. It was now a meeting of 50 delegates, six advisers and four secretaries. Once again it met in secret. *The Times* criticised this on the grounds that it should not be a matter for secret diplomacy, but

an open attempt to reach an agreement consistent with the pledges which had already been given, and which *The Times* therefore suspected were being broken. In particular, it suspected that the African Affairs Board was undergoing yet another attack from the Europeans in the Rhodesias, who wanted to make it a committee of the federal parliament, not a body of outside critics. This proved to be the case. The final scheme (Cmd. 8754) emerged with these further changes:

- (a) The African Affairs Board would be a standing committee of the federal assembly and consist of the three European representatives of African interests, one from each territory, and one of the two Africans from each territory. One of these six would be appointed chairman by the Governor-General.
- (b) The transfer of functions to the federal government was completed, and a new item was placed on the federal exclusive list. This was power to raise and maintain a separate federal police force, to be used in any territory with the agreement of its Governor.
- (c) No change could be made in the division of powers for ten years, unless all three territorial legislatures gave prior assent.
- (d) A conference of the federal, territorial and British governments would review the federal constitution not sooner than seven and later than ten years from its coming into force.
- (e) The Preamble now said that federation would 'conduce to the security, advancement and welfare of all the inhabitants of the three territories . . . and enable the Federation, when the inhabitants of the territories so desire, to go forward with confidence towards the attainment of full membership of the Commonwealth.'

Thus this last conference set the seal on the work begun by the officials in 1951, or, more accurately, on the work begun by the Europeans in the two Rhodesias as early as 1927.

But the process was not yet complete, and it is important to record the pattern of final responsibility revealed in the voting of the British Parliament and the Central African legislatures on this issue.

First of all, federation had to be approved by the House of Commons at Westminster. This was decided, in the first of a series of divisions, on 24 March 1953, by 44 votes with the whips on and the Labour and Liberal Parties voting against it.

Next, in accordance with pledges given during the negotiations, it had to be referred to the electors of Southern Rhodesia at a referendum. This was held on 10 April. Out of a total population of two million Africans and 150,000 Europeans there were 46,355 voters; 380 of them were Africans. Just over 40,000 votes were cast; 25,570 were in favour.¹ Finally, there were the legislatures of Northern Rhodesia and Nyasaland. In both cases, the African members were joined in opposition by the Europeans nominated to represent African interests, and in Nyasaland by the one Indian member of the Council. The officials, however, were instructed to vote with the unofficial European members.

The Federation of Rhodesia and Nyasaland came into being on 1st August 1953.

1. The large opposition vote – 16,000 – was remarkably similar to that which unsuccessfully opposed Responsible Government in the Referendum of 1923 (41%). On that occasion the opposition vote was cast in favour of joining the Union of South Africa. The basic reason for the opposition vote – to play safe for white supremacy – was essentially the same on both occasions.

PART TWO

Policy and Opinion in Britain

CHAPTER 4

BRITISH COLONIAL POLICY IN AFRICA

James Griffiths, in a fine and typical flourish, has referred to two different traditions in Britain's colonial policy, the tradition of Rhodes, the Empire builder, and the tradition of Livingstone, the liberator. It is a sound generalisation. Many controversies over colonial policy have taken place between those who stress Britain's imperial interests (and those of her colonial settlers abroad) and those who stress her responsibilities as trustee for native peoples.

In the so-called black territories of West Africa the Livingstone tradition has been dominant. There in modern times British colonial rule has been marked by a sincere endeavour to promote the welfare of Africans. Of course the rapid political advances of the last ten years have not been part of a pre-conceived, carefully controlled plan. Self-government has been conceded only when major nationalist movements have clamoured for it. Yet the decision to yield to the local nationalists and to transfer power to them in a measured, orderly fashion is surely the final evidence of the continuing influence of the Livingstone tradition.

In East and Central Africa the picture is more complex. Before the war there was sharp disagreement between the imperial (or Rhodes) view and the liberating (or Livingstone) view. The imperialists argued that Britain should delegate an increasing control of the local legislative and executive councils to the leaders of the settled European communities. This was, for example, the strongly-held view of L. S. Amery, Secretary

of State from 1924 to 1929. A Conservative predecessor in that office, the Duke of Devonshire, had put the opposite view with great force in the famous paramountcy doctrine already quoted. It will bear repeating here:

His Majesty's government think it necessary definitely to record their considered opinion that the interests of the African natives must be paramount and if and when those interests and the interests of the immigrant races should conflict the former should prevail.¹

From it, he drew a most important conclusion:

His Majesty's government regard themselves as exercising a trust on behalf of the African population and they are unable to delegate or share this trust.²

The White Paper went on to argue that such safeguards as the reservation of subjects for Secretary of State approval were inadequate. The British Governor should retain an official majority in the legislative and executive councils in order that the British Government could continue to enjoy 'the unfettered exercise of their trusteeship for the native races . . .'.³

Whatever were the original purposes of the declaration, there could hardly be a more straightforward statement of a policy in the Livingstone tradition for the multi-racial territories of East and Central Africa. During the rest of the decade it was an open question if it would remain official policy. Amery as Secretary of State nearly secured its reversal. In a White Paper of 1927 he went as far as he could to repudiate the substance of the Devonshire statement of policy, while seeming merely to elaborate upon it. However, in 1930 Lord Passfield fully reasserted the 1923 position (p. 7).

A year later a Joint Select Committee of Parliament tried to reconcile the irreconcilable. It provided a gloss on the doctrine of African paramountcy which made it acceptable to the spokesman of the Kenyan settler community; in effect, it said, everybody's interests would be paramount.

1. *Indians in Kenya Memorandum* (Cmd. 1922): H.M.S.O., 1923.

2. *ibid.*

3. *ibid.*

But on the delegation of power to local legislatures this important Parliamentary Committee was in contrast completely unequivocal.

The control of His Majesty's Government in the United Kingdom must remain unimpaired . . . all matters in which racial interests were or appeared to be divergent should be decided by an arbitral authority. That authority exists in the Secretary of State and the Governor acting under his instructions.¹

The Committee rejected the argument that the British Government could grant an unofficial majority on a Legislative Council to a local white community and still fulfil its obligations as trustee by retaining powers of veto and certification.

It appears to the Committee that even with the safeguards suggested, an unofficial majority, whatever may be said to the contrary, does morally and in fact become responsible.²

This remained as the central core of official British policy towards these territories until 1951. Until then both Parties officially agreed that Colonial Office control must continue, and continue effectively, in the multi-racial colonies of Africa until, to use a famous phrase, their African peoples can stand alone under the strenuous conditions of the modern world.

But in the territories themselves this central agreed principle was in fact gradually whittled away as Governors and senior officials bent their policies to meet the strong and constant pressure of local European opinion.

Some Governors consulted closely with local European political leaders, and were much influenced by them. These leaders of the European minority also added to their influence within the machinery of government. The wartime shortage of senior personnel and the clear ability of some of the unofficial leaders further increased their power in policy-forming circles. Then in Northern Rhodesia in June 1945 and in Kenya in 1948 unofficial majorities were conceded on the Legislative Council, although in both councils the officials plus the unofficial members nominated to represent African interests continued to out-

1. Joint Committee on Closer Union in East Africa, Vol. I. Report H.C. 156, 1931, p. 39.

2. *ibid.*, p. 41.

number the elected Europeans. Nowhere was the ultimate break made, nowhere were the local Europeans given an elected majority on a legislative or executive council. Britain continued to have the power to fulfil its responsibilities as trustee and protector.

Meantime the wide agreement among liberal-minded people in Britain on the need for continued effective Colonial Office control was not matched by any parallel agreement on the political institutions to be developed in the multi-racial territories. Partly this was due to the lack of any sense of urgency, for before the Second World War almost everyone thought that British rule would continue for a very long time. However, there was also fundamental disagreement. Some people favoured a common roll with educational qualifications to which at first few Africans would qualify, but which would establish the beginnings of a non-racial franchise. Under Lord Passfield the eventual introduction of such a common roll was briefly official policy.¹ However, in 1931 the Joint Select Committee refused to endorse it and it did not reappear again as an official policy in East or Central Africa for twenty years. Its disappearance was in part due to the influence of Amery and others who opposed a common roll because it threatened the hegemony of the European minority.

Their opposition was greatly aided by the fact that many liberal-minded people also held strong objections to such a common roll. This attitude was directly derived from the idea of indirect rule that dominated progressive thought on colonial policy in the inter-war years. Africans, so ran the argument, should be encouraged to seek their self-rule through the development of their tribal institutions, not through western institutions which were alien to their values and to their institutions. Only very belatedly was it seen that tribal institutions could not be the basis of modern African states. This undoubtedly aided the gradual *de facto* increase in the powers of the unofficial European members of the legislatures in Northern Rhodesia and Kenya.

Another division in progressive opinion, different in origin but similar in effect, also aided the supporters of federation in the

1. *Memorandum on Native Policy in East Africa* (Cmd. 3573): H.M.S.O., 1930, p. 8.

1950s. The Nationalists' victory in the South African elections of 1948, the pressure for political concessions from the white minorities in East and Central Africa and the general advance of so many colonies to independence led to a good deal of speculation about the political institutions that should be developed in the multi-racial territories of East and Central Africa. Although few people now believed that African political activity should be or could be confined to tribal institutions, yet there was still no common view among those who approached the problem in the Livingstone spirit. Indeed, three quite different views were held of what was the proper objective in these multi-racial territories.

- (a) *Partnership between the racial communities.* Africans must be brought as a community into partnership with the Europeans first as junior partners and then in time as equal partners. This equal partnership was envisaged as a long-term objective only and it was to be an equality between communities sharing political power equally despite the disparity of their numbers. Full democracy if mentioned at all was an ideal for an even more distant future when racial difference would no longer affect political judgments.

This was the Colonial Office view in 1951. Strict racial proportions were being preserved in the legislatures of all three East African territories. Nowhere was there a common roll, and in none of them had it yet been admitted that there would be any development towards predominantly African representation. In Northern Rhodesia even the balanced racial proportions of the East African legislatures seemed too radical.

Yet it would be naïve to explain the different schemes of representation granted in the legislature of the East and Central African territories as if they were but the application of this view of partnership. The theory was more a rationalisation of policies determined by quite other factors. More decisive was the size and the relative political power of the white minority of the territory concerned. Thus in Kenya the proportions on the unofficial side between the representatives of the Europeans, the Asians and the Africans were 2:1:1. In Tanganyika they were 1:1:1 and in Uganda 1:1:2. The obvious conclusion is that the size of the European community was decisive in determining the political

representation it received. This is confirmed by considering the legislative council of Northern Rhodesia at that time. 38,000 Europeans had 10 representatives, while over 2,000,000 Africans were represented by only 4.

- (b) '*Equal rights for all civilised men*'. Supporters of this idea advocated a common roll franchise with reasonably high qualifications. With time, they argued, more and more Africans would have these qualifications and so, gradually, political power would be transferred to them. They recognised as a corollary of such a franchise that the governments must accept as a major responsibility the training of Africans so that more and more would raise themselves to these 'civilised' standards.

People who took this general approach sought to reassure Europeans by pointing out that the transfer of power would be gradual and would be to educated, 'civilised' Africans. They sought to reassure Africans because their proposals involved a non-racial roll and promised an eventual African majority. The goal was thus a partnership of civilised individuals, not one of racial communities. It pictured a society successfully divided; on the one hand would be the mass of Africans living along traditional lines, on the other, a multi-racial *élite* community of almost all the Europeans and a growing number of educated Africans whose members alone would have the franchise. If their ideal was in fact to result in a stable and tranquil society the supporters of this view had to assume that Africans who were not 'civilised' would be uninterested in politics beyond their tribe and content to be without political power. This ideal also assumed that Africans who did have whatever qualifications were devised to test their 'civilisation' would be so welcomed into a common 'civilised' society that both they and the Europeans would feel their loyalties to it and not to their racial group. It was clearly a highly optimistic ideal.

- (c) '*Power must eventually pass into the hands of the immense African majority*'.¹ Supporters of this view normally advocated continued Colonial Office rule and often a limited franchise and safeguards

1. Miss Margery Perham, in a letter to *The Times*: 1 March 1953.

for the minorities. They differed from those of the second view in claiming that Africans should have preponderant political power not in some vague future, when they would be assimilated to European ways and would accept the established framework of political and social values, but in a foreseeable future when they would in all probability act politically as a racial community. These people argued as much from the realities of African nationalism and the dangers of suppressing it as from democratic principles.

With such sharply different political attitudes contending for their support it is not surprising that British champions of the Livingstone tradition did not speak with any unanimity on the federation proposals in 1951-53. Those who accepted a partnership of communities as the objective tended, by and large, to support federation. By contrast, the third or 'Perham' view was most clearly at odds with the intentions of federation. Those who believed in 'equal rights for all civilised men' were of a divided mind, for while the proposed federation was often defended in terms which were congenial to them, it was not certain that it would really be based upon these values. Thus in 1951 as in the 1930s, liberal-minded people were divided and so were much less effective than those whose clear concern was to consolidate white political control.

CHAPTER 5

WHY FEDERATION WAS SUPPORTED

Imperialistic support for federation

Our object first and foremost is the establishment of a great British Central African Dominion to strengthen and consolidate the power of the British Commonwealth which has of late years lost so many of its former members.¹

For imperialists in 1953 this was the central argument for the

1. Stanley Cooke in *African World*: September 1949.

federation of the Rhodesias and Nyasaland. Only a white Dominion in this part of Africa would save it for Britain. 'The bastions of the Imperial perimeter,' said K. M. Goodenough, High Commissioner for Southern Rhodesia, '[are] Canada, Southern and Eastern Africa and Australia, and of these three Africa needs most strengthening. . . . The development of a strong imperial bloc in South, Central and East Africa [is] of great importance.'¹

This old-fashioned imperialism was not as discredited as one might expect. It appeared on occasion in the speeches of a few Labour members, and its influence can be seen in speeches from the Government front bench.²

Views of this general nature were also influential within the Commonwealth Relations Office. At the time of federation it was widely commented that the Commonwealth Relations Office was strongly in favour of federation in Central Africa for imperial reasons and was much less concerned with securing safeguards for Africans than was the Colonial Office.³

There were, however, further arguments for federation very different from these, which appealed to many whose approach to Central African affairs was liberal rather than imperial. Senior Colonial Office officials in whom many liberal-minded people had great confidence played a major role in preparing the first scheme in 1951; the Labour Government approved of it; James Griffiths urged Africans to send their representatives to discuss it; Patrick Gordon-Walker toured Southern Rhodesia, telling Africans that federation would mean more schools, more hospitals and more services.⁴ Two years later, when the Federation Act was finally passed, there were still many men of goodwill who accepted it (with varying degrees of enthusiasm, it is true) for reasons more liberal than imperial.

Yet federation reversed a policy which had been central to the

1. Reported by *East Africa and Rhodesia*: 27 March 1947.

2. e.g. the speech of Henry Hopkinson: *Hansard*: 27 August 1952.

3. It is perhaps worth noting that the Under-Secretary of State for Commonwealth Relations in 1951, Mr G. H. Baxter, is now the Secretary of the Rhodesia and Nyasaland Committee and a leading publicist for the Federal Government in London.

4. Reported in the *Manchester Guardian*: 14 September 1951.

'Livingstone' view of British responsibilities and to official policy since 1923; it delegated the control of a wide range of British responsibilities in Nyasaland and Northern Rhodesia to a Federal Government controlled by local Europeans. Why was it that the Colonial Office and many liberal-minded people agreed to accept in 1953 what had been rejected by the Duke of Devonshire in 1923, the Hilton Young Commission in 1929, Lord Passfield in 1930 and the Joint Select Committee in 1931?

Non-imperialist reasons for supporting federation

(i) *The economic argument*

It was very widely accepted amongst both the supporters and opponents of federation that it would greatly facilitate economic development, and that this would be of advantage to the African inhabitants. This assumption is examined in Part Three. For the moment it should be noted that it was most commonly made by those who had no professional competence to judge its merit. In contrast, Miss Phyllis Deane, one of the very few professional economists to enter the public debate, questioned its validity,¹ while the *Economist* declared flatly that 'the economic case for federation is not therefore convincing; a transport union, a customs union and some common administrative arrangements would meet the case as well.'²

Nevertheless this economic argument became very widely accepted and, once accepted, seemed to require liberal-minded people to choose between economic welfare and political advancement for Africans. Faced with the poverty of Central Africa, it is understandable that many felt compelled to favour economic development.

Reinforcing this decision for some was a quasi-Marxist conviction that once the economy had developed, an African proletariat would then itself be able to secure the political changes which could not be won earlier because the Africans were too unorganised and weak. Wait for 10 or 15 years, ran this argument, until as a result of economic development there is a permanent African working-class and a much larger educated *élite*. Then the demand for African political advance will be

1. In a letter to *The Times*: 25 January 1952.
2. The *Economist*: 29 September 1951.

irresistible. Perhaps, but in this there was no recognition of the bloodshed and suffering that might mark the attempts by these future Africans to win their political rights.

There was a further strand in the economic argument. It was, briefly, that local white control over the three territories would reassure potential foreign investors that Central Africa would be a safe area in which to invest. The Commissioner for the Northern Rhodesian Government in the United Kingdom put the point bluntly: 'No one would invest substantial funds in these territories if there was any serious risk that by delay Government control would be placed in the hands of immature and inexperienced Africans.'¹ For the Secretary of State even an equal share of power for the leaders of the large African majority was ruled out for the same reason: 'If we gave them equal representation in the Federal Parliament we should completely dry up the flow of overseas capital.'² These were authoritative-sounding pronouncements. The opposition to federation was weakened, and still is, by the lack of any serious questioning of their truth. This is why Chapters 7 and 8 of this book, on the 'economic argument', are particularly important.

(ii) *Nation-building and disentanglement*

After the war it was widely recognised that many colonial territories would develop towards self-government much more rapidly than had been expected before the war. For the first time people began to look upon the dependencies as emergent nations, not as near-perpetual dependencies to administer paternally. Influenced by Lord Hailey's report on native administration and political development which was circulated after his wartime visit to Africa, the Colonial Office in particular was open to arguments that the colonies would be more secure economically and politically if they could be regrouped into larger units. It is difficult to realise (now that it is clear that the results have been so different) that at the time British policy in Central Africa and in West Africa were both seen as part of a single liberal exercise in nation-building.

Yet this was undoubtedly the case. 'Viability' was the watchword in Colonial Office thinking. The idea that federation

1. Reported in *The Times*: 30 May 1952.

2. *Hansard*: 18 June 1951, col. 1261.

might give political 'security' to Northern Rhodesia, and bring 'economic advantages' to Nyasaland, gained a decidedly uncritical acceptance in this atmosphere. Encouraged by their own 'men on the spot', colonial officials were apt to lose sight of some of the racial realities in Central Africa.

(iii) *The fear of South African influence*

This fear was the most important reason for the support which many liberals gave to the proposals for a Central African Federation. It appears in particular to have been a major pre-occupation of such liberals within the Colonial Office as A. B. (later Sir Andrew) Cohen. James Griffiths confirmed that as Secretary of State he was much influenced by this argument: an argument, he added, that had been pressed upon him by his advisers.¹

The argument at best was complex, and it is now harder than ever to reconstruct. These were its main elements. Southern Rhodesia could not stand alone. It must either be attracted into an affiliation with the northern territories or it would be drawn into the South African orbit and would imitate her native policies. It would also influence Northern Rhodesian Europeans to strive for a similar development. But why then should not the British Government at least make sure that in Nyasaland and Northern Rhodesia political and social policies would not be discriminatory or repressive? Why should it agree to a federation which would compromise its freedom of action in the territories?

The answer is more than a concern to save Southern Rhodesia from *apartheid*. In 1951 both the Colonial Office and many liberal-minded supporters of federation seemed ready to concede that Britain would not long be able to control the shape and direction of social and political policies in Northern Rhodesia. As an earlier chapter has already shown, by 1951 the 38,000 whites of Northern Rhodesia had been given a great deal of power and influence. They did not have an unofficial majority. The Colonial Office still had the legal power to control the political and social development of the Protectorate. But many people were ready to admit that the Colonial Office would not use these powers to pursue policies which were strongly opposed by

1. *Hansard*: 4 March 1952, col. 210.

the 38,000 whites.¹ If this was conceded, then since European opinion in Northern Rhodesia was evidently hardening and becoming more illiberal, there was indeed a critical situation.

(iv) *The search for safeguards*

Having surrendered on the central and fundamental issue, those who accepted these arguments sought to use the declining influence which they felt Britain still possessed. Their aim was to recast constitutional relations in Central Africa in a way that might induce the local Europeans to follow a social and political policy which they felt Britain could not directly promote. For these people, the federation proposals represented a bargain: the Colonial Office would surrender to the Europeans' demand for a transfer of power to them in Central Africa, but the new constitution would still allow the Office to protect the interests of Africans in the two Protectorates, and would also promote genuine partnership throughout the whole of Central Africa.

The original officials' scheme¹ included three different types of proposals designed to ensure that the racial policies of the new federation would be liberal.

First, the African Affairs Board and the Minister for African Interests who was to be responsible to the British Government were clearly intended both to provide a check on any discriminatory legislation and to take the initiative in formulating positive new lines of policy. The hope was that they would be an effective substitute for the direct British control that was being surrendered. The Colonial Office and the Secretary of State, James Griffiths, appeared to attach great importance to these institutions. Later, Griffiths argued that the whole character of the federal proposals was altered when the idea of the Minister was dropped and the Board's powers were curtailed and that, in consequence, African representation should be increased in the Federal Assembly.

Second, the minority representation given to Africans in the legislature was expected to swing the balance in favour of the

1. Mr Attlee, for example, conceded in 1953 that the Colonial Office at this stage could only guide but not control policy in Central Africa (*Hansard*: 6 May 1953, col. 425).

2. *Central African Territories, Report of Conference on Closer Association* (Cmd. 8233): H.M.S.O., 1951.

more liberal-minded European members in it. Moreover, Mr Foster, the Under Secretary of State for Commonwealth Relations and Mr Alport led the House of Commons to expect that the franchise would be expanded so that Africans would qualify in significant and increasing numbers.¹ With this expectation, it could be hoped as well that African votes would counter-balance the extremist European votes in constituency elections.

Third, the division of powers and responsibilities between the territorial governments and the Federal Government left the Protectorates with responsibility for many matters deemed closest to African interests, including their political representation in the territorial legislatures. Thus the Colonial Office would be able, so it was argued, to push forward in these territories with African advance and act as a pace-setter for both Federal and Southern Rhodesian governments.

The officials' scheme seemed well designed. Perhaps after all a head-on battle with the Northern Rhodesian whites could be avoided. Perhaps Britain could reverse her long-standing refusal to delegate legislative powers over large African majorities to a legislature controlled by a small European minority and yet honestly maintain her trusteeship. Pressed to see the proposals as the best use of Britain's remaining authority, James Griffiths and the Labour Government accepted federation in principle and agreed that the officials' scheme should be the basis of further discussions.

Yet quickly the scheme was seen to be either a little naïve or a little disingenuous. The Fabian Colonial Bureau and John Dugdale pointed out the political unreality of planting a Minister of African interests, responsible to the Secretary of State within a Cabinet responsible to an elected assembly. Lyttelton himself was soon to refer to parts of the scheme as eccentric and exotic.

A more fundamental criticism came from historians who knew the South African analogy only too well. The officials had taken very inadequate account of the ambition of the local European minority. Their proposed constitution would concede to this minority the realities of power. If ever there was a clear historical moral, it is that no external safeguards will work once such a delegation has occurred; would any British Government insist on enforcing them against a determined government on the

1. See footnote on next page.

spot with a secure electoral majority behind it? For two crucial years, from 1951-53, this truth was lost sight of.

(v) *Federation as an experiment in partnership*

During the negotiations between the Colonial Office and the European leaders of Central Africa, the various safeguards of the initial officials' scheme were gradually weakened or abandoned. Although the Secretary of State argued that, taken as a whole, the safeguards remained as effective as those first proposed, many remained unconvinced. The *Manchester Guardian* argued that while the British Government might be retaining the power to preserve existing African political rights, it was giving up the power to insist on their gradual increase. If somewhat more circumspectly, *The Times* agreed, as did such constitutional experts as Professor Vincent Harlow and Sir Keith Hancock.

As 1953 approached, the defence of federation shifted from a concentration on the safeguards to the claim that the federation was to be a great experiment in multi-racial partnership to which Britain could in all honesty delegate much of her present responsibility for the Africans of Nyasaland and Northern Rhodesia. The supporters of federation managed to monopolise this imaginative slogan for their purpose. It was as an experiment in racial partnership, not as a measure to secure white domination, that the federation was presented by parliamentarians and publicists alike, and many people in this country undoubtedly accepted it as such.

It is not easy to decide what the supporters of federation meant by the partnership which they claimed the federation was to promote. Of its political aspect hardly any indication was given. The Constitution did not contain any plan or commitment about the future political rights of Africans. This was left to the discretion of the future European-controlled federal government, as were the details of the first federal franchise.¹ Although the language of equal rights for all civilised men did recur frequently

1. In view of the franchise that was actually introduced a few years later, it is worth noting that John Foster, the Under-Secretary of State for Commonwealth Relations, and C. J. M. Alport both reassured the House that a common roll based on fair qualifications would be introduced and that if the franchise in fact proved to exclude most Africans, it would be an issue suitable for intervention by the African Affairs Board. See *Hansard*: 6 May 1953 and 27 June 1952.

it was rarely if ever linked by a government supporter with the prospect of an African majority. In contrast the analogy of 'senior' and 'junior' partners reappeared frequently. The main ground for confidence that the federation would in fact be a partnership was faith in the European politicians of Rhodesia. Said Julian Amery: 'We on this side of the House and the honourable members opposite have put our trust in Sir Godfrey Huggins and Sir Roy Welensky.'¹ Some did this enthusiastically, others rather desperately. A few found ground to hope with Frederic Harris that 'federation is a gesture of confidence which is able not only to answer Northern Rhodesia's aspirations but also to remove the fear of and to encourage the attitude towards partnership amongst the European population'.² *The Times*, recognising the dubious value of the protection which African rights were to receive, concluded, 'Everything depends on the honest goodwill of the men in Salisbury.'³ For many this was reinforced by a complaisant and uncritical belief that 'our own kith and kin', or 'blood brothers', as Sir Robert Grimson has referred to them, would be true to the underlying liberal values of our civilisation. Oliver Lyttelton for example argued that

There is nothing in our record which should lead any honourable member to suppose that in the exercise of their powers and of these functions in this Federation, the humanity and experience of the British race . . . will suddenly be thrown aside in Central Africa . . . I have faith that the spirit which has animated our race in the past will continue to animate it in the Federation.⁴

The belief and faith that the federation would become a genuine multi-racial partnership was central to the support which the federation received in Britain. Two quotations serve to illustrate the nature of these expectations which led so many to accept this extensive delegation of Britain's responsibilities. This is the first:

The decisive test of the new Constitution is that it shall preserve and extend the rights of all the inhabitants whatever their colour and

1. *Hansard*: 27 July 1953, col. 943.

2. *Ibid*: 24 February 1952, col. 349.

3. *The Times*: 6 February 1953.

4. *Hansard*: 29 July 1952, col. 1276.

race, that partnership shall be founded upon equality before the law and of opportunity and facilities to advance without discrimination.¹

The second defines partnership slightly more explicitly:

I would define partnership as having two heads; first a settled purpose to do everything possible with mutual goodwill for the progressive social intellectual and moral advancement of the African peoples. . . . Secondly, the proportionate place held by Europeans will steadily diminish and the place occupied by Africans will steadily increase as the results of economic development and educational and social development have their effect.²

CHAPTER 6

AND WHY IT WAS OPPOSED

Although some liberals in this country accepted federation there was also much opposition from parliamentarians, churchmen, academics and many others who were well informed and interested in the future of the British African territories. There were four main grounds of opposition.

(i) *Opposition to abdicating British responsibilities*

This opposition was essentially a reaffirmation of the old liberal policy towards East and Central Africa. Nearly everyone who opposed federation felt that *no* federation proposals, no matter what the safeguards, could be accepted if they involved granting substantial powers over the British Protectorates to a local government that would in effect be responsible to the local European community. Constitutional safeguards for African rights had failed in South Africa and in Southern Rhodesia, and they saw little ground to hope that once a European-dominated Federal Government enjoyed the realities of power it would be any more likely to be limited effectively by constitutional safe-

1. *The Times*: 9 June 1953.

2. Archbishop of Canterbury: *Hansard*: 2 April 1953, col. 602.

guards which Africans could not enforce with votes and which Britain had not the will to enforce from the outside.

The leaders of the Labour Party took a slightly different view because in 1951 they had accepted in principle the idea of a federation with safeguards. Mr Griffiths, for example, argued in 1952 that the changes which the Conservative Government made in the proposed safeguards removed effective British influence over the exercise of the powers to be delegated to the Federal Government; and that for this reason the revised scheme ought to be rejected. In particular, he said, 'there is no provision here by which the political advance of the African in the federal legislature can be ensured except by the will and initiative of the European elected members . . . if we surrender this it is a surrender of our Protectorate responsibilities.'¹

John Dugdale put the central point of much of the opposition in these few words:

No set of men on earth are fine enough to be given such power as it is proposed these people should be given over another race amongst whom they live and work.²

(ii) *Doubts about partnership*

The idea that the federation was to be a bold endeavour in multi-racial partnership was meant to dispel these fears and to reassure the British electorate that their trusteeship responsibility for Africans in Nyasaland and Northern Rhodesia would not be abused if part of it were transferred to the European controlled Federal Government. Influential though this idea was, it was not entirely accepted. Some people felt that there was not enough evidence that the European leaders who would control the federation would in fact implement that partnership of racial communities which its supporters claimed was its central object. Many people, from the editor of *The Times* to Mr Attlee, called for further evidence before federation was introduced; some of these (including Mr Attlee) withdrew their earlier support and opposed the imposition of the federation when no evidence which they could accept as adequate was put forward.

Others not only could see no evidence that the federation

1. *Hansard*: 24 July 1952, col. 873.

2. *Hansard*: 4 March 1952, col. 259.

would in fact result in any genuine partnership, but suspected that the idea itself was in any case unsatisfactory. They felt that in a society where Africans outnumbered Europeans by 25 to 1, this ideal could too easily conceal an entrenchment of minority privileges, and they urged that the only acceptable view of partnership was a relationship not between separate *races* as such but between individuals, in a free society in which all enjoyed equal rights.¹

(iii) *Africans' future political rights*

A further objection of many people to federation was that future political advance for Africans in federal politics would depend upon and be at the mercy of a European-controlled government and parliament. They recognised that in certain crucial matters the Europeans' position rested on discriminatory legislation and they feared that this minority would use their power to entrench their privileges, rather than threaten them by transferring a major share of political power to Africans. More than this, many people felt, in common with a leading authority on African affairs, Miss Perham, that it must be clearly accepted that there would be an African majority in the foreseeable future. This view was held particularly (though not only) by people with special knowledge of the force of African nationalism elsewhere in Africa. Mr Clement Davies made the point well in one of the few Parliamentary references to these developments:

We have come to the conclusion that the people of Nigeria and the Gold Coast . . . are in a position in which they can guide their own affairs. We have guided and helped them until they have reached that position and apparently there is no doubt in anyone's mind that it is the right course to take. What worries me is that there should be this difference (i.e. a failure to recognise the Africans' right to self government) where Africans are living in the same area as Europeans.²

(iv) *Unwillingness to override strong African opposition*

Opposition to federation on these grounds grew more intense as the strength and unanimity of African opposition to federation

1. This whole concept of partnership is discussed further in Chapter 15.

2. *Hansard*: 6 May 1953, col. 444.

became more and more apparent. This influenced not only those who in any case opposed federation. Many people felt that African attitudes might be unreasonable but nevertheless argued that it was not enough merely that the British Government should be convinced that a policy was right; it was also an essential part of a colonial government's responsibility, especially at this stage of colonial development, to win local co-operation and acceptance before proceeding with major changes. This insistence on the need to win African support rested on several principles – government by consent, the dislike of coercion, the acceptance of a colonial people's right to participate in decisions that would affect their welfare and future. In ignoring the opposition of Africans, in rejecting their requests to remain under full British protection, the Government moved very far from those liberal attitudes and values towards Britain's responsibilities in Africa which had till then been a feature of British colonial policy, no matter which party was in power.

There have now been seven years in which the arguments in favour of federation and the fears of its opponents have been put to the test. With the promised constitutional conference close at hand the record must now be examined. Has the Federation justified the hopes and the expectations that were aroused in order to secure British support for its introduction in 1953? Have there been real economic benefits for Africans which could not have been secured otherwise? Have African's political rights and their political future been adequately safeguarded? Has there been a real and vigorous advance towards racial partnership, socially, economically and politically? Has federation deserved to win – and has it in fact won – African consent?

PART THREE

The 'Economic Argument'

CHAPTER 7

FEDERATION AND THE CENTRAL AFRICAN ECONOMY

Has federation been an economic success? The question sounds simple. In fact, it is highly complex. As students of Central African affairs are aware, appearances and reality are not always the same. And, as economists know, statistical accounting of an economy's performance tells only part of the story.

(1) *Major economic changes since federation*

Measured by the conventional calculations, the Federal economy has performed remarkably well since 1953. When valued at current prices, gross national product (in the money economy) increased by approximately forty-five per cent from 1953 to 1957.¹ To the economist, the achievement of the Federal economy in channelling a high proportion of its national product into capital formation is still more striking. On the average, gross investment has taken more than one-third of the gross national product in the post-federation years. Much of this investment, to be sure, has been financed from abroad, rather than from domestic saving. Even so, this record is outstanding among the territories now classified as 'underdeveloped'. Few other countries at a similar stage of development have been able to mobilise resources on this scale for capital formation.

1. Central African Statistical Office, *Monthly Digest of Statistics*: 1954-1958. At the date of writing, 1958 national income data were not yet available.

The high rate of investment has made possible substantial advances in output in all the major sectors of the Federation's money economy. Apart from cutbacks following the drop in overseas demand and interruptions during strikes, mineral production has expanded and mining capacity has been extended. 'European' agriculture has taken in more acreage and increased its output. Manufacturing industry, although still on a small scale, has grown dramatically. Meanwhile service industries (such as transport and communications) and commercial undertakings have also grown in number and in size. These developments, in turn, have created more jobs for both European and African. To round out the picture, the money incomes of all racial groups have improved. Since 1953, for example, the average income of the gainfully employed European has risen by roughly ten per cent. Money income received by African wage earners, on the average, has increased at an even faster rate. For the Federal area as a whole, the average African money wage (including the value of rations and accommodation when supplied by the employer) has risen by about one-third between 1953 and 1957.¹

These statistics all suggest that the economy of Rhodesia and Nyasaland has fared well under Federal administration. But these measurements refer to only part of the Central African economic system. The money economy is by no means all-embracing. Much of the economic life of the African peoples lies outside it. An important part of the real income of the African population is still drawn from subsistence agricultural production which is carried on by traditional methods. The size of this output – which is clearly part of the total Federal income – is not covered in the calculations of gross national product noted above; only that fraction of African output which is sold to Europeans is included. One version of the national accounts prepared officially by the Central African Statistical Office includes allowance for an imputed money value of non-marketed production by the African. These entries, however, are of a token sort and no claims to precision are offered for them. This observation is not intended as a criticism of the valuable work of the Central African Statistical Office. There are formidable, and

1. Calculated from estimates by the Central African Statistical Office of wage and salary incomes and from official estimates of numbers employed.

perhaps insuperable, technical problems confronting any attempt to incorporate subsistence production into a national income account; these difficulties would remain even if the national income accountant had (as he does not have in Central Africa) reliable data on the physical volume of subsistence production. These considerations serve as reminders that national income accounts of the conventional type are not all-embracing. Inferences cannot be drawn from such data about the Federal economy *as a whole*. If we are to understand events in the total economic system, we must consider the indigenous economy as well as the money economy.

While the money economy and the indigenous economy are separate and distinct, they are not isolated from one another. Not only do they co-exist within the same political jurisdiction, but their activities, to an important degree, are interdependent. Altered conditions in one of the economies may give rise to changes in the other. Expansion in the money economy, for example, creates new opportunities for the African to improve his standard of living. Some members of the indigenous population may benefit from the growth of the money economy while remaining in indigenous agriculture. If the African farmer can increase his output, he may be able to sell crops for cash. But the opportunities for acquiring money income by this means are far from universal. In much of the Rhodesias, the inaccessibility of the Native Reserves precludes extensive crop sales, even if other obstacles to increasing productivity were overcome. In large measure, the isolation of the bulk of the African lands from arteries of communication has produced this result. This isolation has largely been created by the Rhodesian system of racial segregation in the ownership of land, the effect of which is to deny the most favourable farming sites to the African, even though they may lie unused. Southern Rhodesia is the worst offender in this respect. In the 1956-57 season, only 2½ per cent of its European farming area was under crops. Northern Rhodesia's performance is only slightly better; in the same season, roughly 5 per cent of the acreage of European farming propositions was tilled.¹ These idle lands are not only qualitatively superior to the

1. Calculations are derived from the *Report on the Agricultural and Pastoral Production of Southern Rhodesia, Northern Rhodesia and Nyasaland, 1956-1957*:

crowded African areas, but they also enjoy heavier rainfall and better access to markets. In view of the disadvantages African farmers face in the Rhodesias, it is not surprising that their cash earnings from crop sales are still small. It is interesting to note that in Nyasaland, which is hardly an outstanding example of agricultural prosperity, money income earned by Africans through crop sales was until 1959 generally higher than in either of the Rhodesias.¹

Wage earning is a more significant method by which the indigenous peoples can improve their income by participating in the money economy. This method is open to all. The major limiting factor is the number of jobs available. The *types* of jobs for which the African is regarded as eligible are, of course, influenced by colour bars. But the *number* of such jobs is determined by the labour requirements of the money economy. Economic expansion since federation has increased the demand for African labour, enabling more Africans to improve their material standards by this means. The money wage paid to Africans is admittedly hardly princely. In 1956, for example, the average wage received by an African employee in the Federation was only about £69 per year, and this figure includes allowance for the value of rations and accommodation when provided by the employer.² Even so, wage employment presumably leaves

Government Printer, Salisbury, 1958, pp. 4, 57. In this connection, the remarks of a 1949 report in Southern Rhodesia are worth noting:

‘Large tracts of useful land in European areas (are) lying idle because of the large size of the farms or through being held for speculative purposes. The present owners of a very considerable number of farms are not even known or cannot be traced.’ (*Development Co-ordinating Commission, Southern Rhodesia, Second Interim Report*, C.S.R. 3, 1949, p. 8.)

1. Based on data drawn from official reports on African agriculture in the various territories. Cash acquired from the sale of cattle is excluded from these calculations. While such transactions may enable the African farmer to obtain money, he seldom views cattle sales as a regular source of income. Instead cattle are still regarded largely in the traditional sense: i.e. as assets to be accumulated and as a reserve which can be tapped in case of emergency. This view persists among African farmers even though the Southern Rhodesian Government has imposed some sales of cattle upon them in its programme of compulsory de-stocking.

2. Based on estimates of the African wage bill prepared by the Central African Statistical Office and on the *Report on the Census of Africans in Employment*, 1956.

him better off than he would have been otherwise.

Perhaps the most novel feature of recent Rhodesian economic history is the fact that the wage of the African employee *has* markedly improved. By absolute standards, the wage paid to the African worker is still low and, with some exceptions, is insufficient to provide much beyond necessities for the man who must support a family from his wage. Indeed, in many cases, present wages fail to cover necessities for an urban African family. The findings of the 1958 African budget surveys in Salisbury and Bulawayo are revealing on this point. In Bulawayo, for example, roughly 40 per cent of African families living in rent-free housing were unable to meet current expenses out of their earnings. The average family owning its own home and with an income of nearly £13 per month (a money income far above the national average) failed to cover expenditures from its income. Families with even higher incomes from wages managed to meet their minimum requirements only by renting out part of their house to lodgers.¹ Yet when measured against earlier wage standards, these results mark a substantial advance. Traditionally, the European employer was not expected to pay a wage which would support a family. Instead a wage which would support only the male worker himself, plus something extra for incentive, was adequate to attract an ample, although migratory, labour force. A genuine improvement in the real income of the African worker has been accomplished, but it is impossible to establish precisely how much his real income has advanced. A consumer price index weighted to an African's consumption pattern has been prepared only in Northern Rhodesia since 1955. With this exception, price indices officially published are based on the consumption expenditure of European households exclusively. The statistical measures of the African's real and money wage changes are thus far from perfect. Nevertheless, the evidence available before 1950 does not challenge the applicability to the Rhodesias of Sarah Gertrude Millin's observation of more than two decades earlier about South Africa: 'nothing has changed so little . . . as the black man's rate of pay.'² But since 1950 a real wage improvement for the

1. See *Supplement, Monthly Digest of Statistics*: November 1958.

2. Sarah Gertrude Millin: *The South Africans*, p. 55: Constable and Co., Ltd., London, 1926.

African has occurred. This trend has been sustained in the post-federation years.

All in all, then, the economy's performance since federation has been impressive. The money economy has taken new strides forward and a remarkably high rate of investment has been accomplished. Employment and personal incomes have advanced. Moreover, all races have shared in the gains from growth. European money incomes have risen; so also have those of the African. For the African wage earner in particular, advances following the pre-federation break-through in real wages have been continued.

(2) *How far are these changes due to federation?*

How much of this economic record can be attributed to the political and administrative re-structuring brought about by federation? To judge from some of the arguments advanced before 1953, a favourable economic performance would be a natural consequence of the federal arrangement. Political realignment, it was in effect argued, could generate, unleash, or attract new economic energies.

That economic expansion has occurred since 1953 cannot be doubted. The reasons for this expansion, however, must be carefully analysed. Some commentators have been tempted to advance a simple two-step argument: that, inasmuch as economic gains have been accomplished *during* federal administration, these gains must have been brought about *because of* federation. This is plainly a fallacy to avoid.

Two of the favourite economic arguments of the advocates of federation can be dismissed briefly: the view that benefits would flow from 'widening the market', and from the 'economic integration of territories with complementary resources'.¹ The idea that 'widening the market' promotes economic progress has a venerable tradition to support it and in certain circumstances the argument certainly has some force in it. It can be plausibly argued, for example, that moves toward economic integration in Western Europe, where the parochial interests of many nation states have erected artificial barriers to normal economic

1. Detailed consideration of the argument on the economic advantages of federation to Nyasaland will be reserved for discussion in the following chapter.

relationships, will bring substantial benefits. But the situation of Central Africa is quite unlike that of Western Europe. Economic relations between the three territories were not hostile before federation, nor is it likely that they would be under alternative political arrangements. No important administrative barrier hampered the free flow of goods and productive resources across territorial boundaries. This is not to deny that extension of the market often spurs economic advance. The point is that in Central Africa changes in the political and administrative machinery in themselves have had little impact upon the size of the market area. The limits of the Central African market have been set by more basic factors: by the physical environment and by the volume of effective demand, not by political impediments to economic activity.

Similar considerations apply to the related argument on 'economic integration'. It was not the case that as a result of federation the produce of each territory would be more widely used in the other federated territories. In itself, federation does not affect the use of Southern Rhodesian coal and tobacco in Northern Rhodesia, or of Northern Rhodesian copper in Southern Rhodesia, or of Nyasaland's tea in the Rhodesias.

But the argument on the alleged advantages of integration can be interpreted in another way. One of the crucial economic realities of Central Africa is that the generation of money income is, at bottom, determined by international markets for primary products. Each territory exports a different range of commodities. A slump in the exports of one territory may thus have disastrous effects on its economy and so on the revenues of its government. In these circumstances, a territorial government might be obliged to curtail or postpone worthwhile expenditures. Barring a collapse in the overseas markets for the products of all three territories, the Federal arrangement for pooling and apportioning public revenue can cushion the effects of a localised slump upon individual territories. This argument is valid within limits. The vulnerability of individual governments to market fluctuations may be partially reduced. But the vulnerability of the *federal area as a whole* is unchanged. The export industries are no better protected from the shifting tides of international demand than they were before.

The argument that federation would make co-ordinated

planning possible for the Central African territories deserves more serious attention. But the additional benefits made possible by this change have also been exaggerated. Economic decisions of joint concern before 1953 were not made unilaterally by individual territories with no regard for the effects on their neighbours. A federal structure is not essential to achieve joint planning. It existed before 1950 in the form of the Central African Council. Although the Council may not have been a perfect instrument for this purpose, a federal form of government was not the only way to improve it.

In one respect, however, federal planning can claim to be more efficient. It may not be technically superior to other forms of co-ordination in programming projects about which there is general agreement; thus, the joint planning machinery for the Rhodesia Railways functioned well. But when the views of the territorial governments differ widely on the objectives of planning, the federal scheme creates a sovereign body capable of reaching and imposing decisions. Sharp differences in objectives are most likely to arise over the relative merits of new projects, particularly those in which heavy outlays are involved. The controversies over the Kafue v. Kariba hydro-electric power schemes are a case in point. One may guess that the Kariba site would not have been chosen in the absence of a federal form of government.

This brings us to the most important prop to the economic case for federation, and the argument which is most difficult to assess: the impact of a federal form of government on investment and capital formation. Essentially, the relevant question is 'what influence has the federal form of government had upon the attractiveness of the area to foreign investors?' The case is often developed in two stages. First, it has been argued, federation has improved the credit-worthiness of government. In support of this view, the argument that export industries are 'complementary' is often reintroduced, or, more accurately, that they are not identical. The point is that the revenues of the Federal Government are better protected against slumps in the export industries than are those of any territorial government independently. The lender, therefore, has greater assurance that the borrower will have both the revenues and the foreign exchange to service and amortise his debt.

This argument cannot be accepted without qualification in an economy so heavily dependent upon one export commodity. Diversity may exist in the whole range of export commodities produced in the Federal area, but public revenues are overwhelmingly influenced by the fortunes of the copper industry. In 1955, for example, this one industry contributed, directly or indirectly, an estimated thirty-seven per cent of the consolidated revenues collected by the Federal and territorial governments combined.¹ In this connection, it is of interest to recall that the Federation's brief in applying for overseas loans to finance Kariba was built on the assumption that copper prices would never be for long below £240 per ton. As copper prices were nearly £200 above this figure when the plans were drafted, this assumption did not seem unreasonable. In 1957 and 1958, however, the average realised price for copper has been below the minimum which was assumed. This unanticipated situation has called for much stricter financial discipline than was originally bargained for. While the Federation has more eggs in the export basket than any one territory could have, one egg overshadows the rest. Moreover, the size of the big egg, at least temporarily, has turned out to be smaller than the planners had counted on.

At best, the credit-worthiness argument can only be made for part of the aggregate foreign investment which has been made available to the Central African economies. It applies only to the fixed-interest obligations undertaken or underwritten by the government. Public expenditure financed from abroad has played a strategic rôle in the Federation's economic expansion. But how much of the external borrowing would have been negotiated if the political structure had not been federal? A precise determination cannot be made. The Federal Government until recently has been successful in negotiating external loans; but so too was the Southern Rhodesian Government, particularly in post-war years before federation. Yet it is probably correct that the volume of public borrowing from abroad since federation has been heavier than it would have been otherwise. One can only guess, for there is no satisfactory empirical measure

1. *Report of the Commission Appointed to Inquire into the Unrest in the Mining Industry in Northern Rhodesia in Recent Months*, p. 4: Government Printer, Lusaka, 1956.

of the point. But should this have been the case, it is not a conclusive demonstration of greater credit-worthiness for one form of government than another. Rather, it may simply reflect the fact that the most expensive item financed by external borrowing, the Kariba Gorge project, might not have been undertaken without federation.

Consideration of the impact of federation on investment is not complete without discussion of the attractiveness of the area to corporations and private individuals who might finance direct business investment. Has federation altered the volume of this form of capital inflow? Economic theory normally examines questions of private investment decisions in terms of expectations of profit. Many other considerations may also impinge upon the calculations of investors contemplating operations in the under-developed areas. Some of these factors may be influenced by political events: for example, the fear of expropriation of capital, or of civil strife, of unilateral devaluation, or of inconvertibility. By and large, the support of the British Government for the Rhodesias and Nyasaland has minimised these uncertainties. It is difficult to imagine that the guarantees of the Federal Government have carried greater weight with the potential foreign entrepreneur than did those of the British and Southern Rhodesian Governments before federation. Some foreign investors, however, may well have been stimulated to action by the formation of the Federation, if the change in administration removed doubts about whether power in Central Africa would be kept in 'civilised hands'. By the same token, others may have been deterred by the reception given to the federal scheme by a sizeable segment of the African population, and have concluded that the political risks had increased. Certainly the Nyasaland disturbances of 1959 have had this effect; a point which caused concern to Federal officials as they found difficulty in raising overseas loans and as they noted the reduction in private capital inflow in 1959.¹ None of us can claim an omniscient insight into the investor's psychology or into the complexity of factors (some

1. See the statement by Mr Donald Macintyre, Federal Minister of Finance, in announcing cutbacks in expenditure on the Federal Development Plan, 1957-1961, as reported in *The Rhodesia Herald*: 21 May 1959. Recent political events in the Federation, he explained, had adversely affected his plans for financing from overseas.

of which may have no basis in economic reality) which shape or shake the market's 'confidence'. But if in fact investors initially responded favourably to the political environment created by federation, it may be equally true that political consequences of federation have produced an unfavourable response of equal magnitude. On one point, however, we can be confident: business men are never indifferent to profits. And, by comparison with the bulk of the underdeveloped world, exploitation of the resources of Central Africa, before federation as well as after it, has been profitable.

3. *What is the real explanation of economic expansion?*

The preceding section has suggested that the political and administrative changes produced by federation have in themselves made little direct contribution to the advance of the Federal economy. What, then, can explain the substantial economic expansion which has taken place? Two general types of explanation might be offered. First, the operation of economic forces, quite apart from political changes, may have produced these results. Secondly, it might be maintained that specific economic policies pursued by the Federal Government have been largely responsible for economic growth. To assess the latter view, it is necessary to move to an analysis of specific actions taken by the Federal Government since it assumed power. Let us consider each of these views in turn.

How far can the normal operation of economic forces go towards accounting for the recent expansion of the Central African economy? Probably the bulk of the economic expansion in the recent past requires no more complicated explanation than this.¹ The Central African territories have always been heavily dependent on external sources of capital to support development and have never impeded capital movements. In this respect, there is nothing to choose between conditions before and after 1953. What is important is the natural wealth which the Rhodesian territories possess. Foreign capital has been attracted to the Rhodesias because its mineral and agricultural resources could be worked to advantage and sold abroad. Expansion in international demand, particularly for base

1. This is not to say that political arrangements can never prevent, check, or redirect economic activity.

metals, has through the years made additions to export capacity worthwhile. As the export industries have grown and have swollen money income, effective demand internally has been enlarged. This, in turn, has induced new production to serve the domestic market. Simultaneously, the requirements placed upon such industries as transport, communication, and power have multiplied. As the government has been primarily responsible for providing these services, its investment expenditures have further added to the growth in money income.

This process is familiar. It has reached new heights since 1953, but it was well under way before then. In fact, the rate of growth in gross national product was at least as high in the Rhodesias between 1946 and 1953 as it has been since. Northern Rhodesia is the most forceful case in point. The gross product of its money economy increased nearly seven times between 1946 and 1953. Largely owing to the fall in copper prices, the rate of growth has sharply decelerated since.

One consequence of this economic expansion demands closer inspection. As was noted earlier, the real wage for the African worker has recently begun to rise. This development is without precedent in pre-1950 Rhodesian experience and it upsets the traditional working hypothesis of the European employer that African labour is always abundant and cheap. Moreover, the improvement in African real wages supports the claim that economic expansion has benefited the African and not just the European.

In order to understand the causes of this development, it is necessary to probe more deeply into the mechanics of the Central African economic system as a whole and to investigate particularly the terms of contact between the indigenous economy and the money economy. This interaction lies behind the scenes. Yet it is one of the fundamental realities of the Central African economy. Conditions in the indigenous economy originally permitted the Europeans to obtain a labour force for a real wage inadequate to support both the worker and his family. More recently, conditions in the indigenous economy have obliged the employer to raise real wages if he is to attract African workers. In both cases, the traditional methods of African agricultural production have exercised a major influence on the level of real wages.

Techniques of agricultural production within the indigenous economy are not identical in all parts of Central Africa. Generally, however, shifting cultivation is the predominant pattern. This takes the form of periodic clearing of new lands and burning the bush to fertilise the soil. The low natural fertility of most of the Native lands can thus be offset, on the average, for a period of two or three years. The procedure must then be repeated on a new piece of land if agricultural output is to be maintained.

In this traditional system, the adult males are responsible for the preparation of new farming sites while the women and children normally handle the sowing and reaping of crops. Under this arrangement, the adult male is not fully occupied. Conceivably, he might work more intensively and enable the family group to produce surpluses which could be marketed. But the isolation of the African areas rules out this possibility in much of the Rhodesias. Alternatively, the adult male might increase the real income of his family by accepting wage employment. As long as his absence from the indigenous economy does not reduce the agricultural output of his family, even the small cash income he receives makes a net addition to the real income of the family. Because of the productive arrangements in indigenous agriculture, his absence can be tolerated, in most instances, for a year or more without lowering the volume of agricultural output. But absence for much longer periods will lead to a sharp fall in agricultural output. If the African worker is to be attracted to accept *continuous* employment in the money economy, much higher real wages will be required. In fact, the employer will be obliged to offer a real wage capable of supporting both the worker and his family, plus a supplement sufficient to make it worthwhile for them to leave their own life on the land entirely.

These conditions clearly affect the volume of indigenous manpower which European employers can hire at the traditional level of real wages. For the supply of African workers available on the old 'migrant' terms is limited to what the indigenous economy can spare without sacrificing its conventional level of output. Before 1950, most European employers in the Rhodesias stayed within this limit and retained the original level of real wages. They were able to do so chiefly because very large

numbers of African workers were drawn from adjacent territories. Southern Rhodesia, which is still the largest employer of African labour, provides the best illustration. Throughout the 1930s and 1940s, well over half of the African labour force at work in the money economy was of extra-territorial origin. In 1936, for example, only about 108,000 African males indigenous to Southern Rhodesia were employed in a working force of 254,000. By 1946, employment of Africans had increased to nearly 377,000, but male workers drawn from outside Southern Rhodesia accounted for more than 202,000 of this total.¹

In the past decade, several important developments have upset this picture. In the first place, expansion in the money economy has swollen the demand for African labour. Between 1946 and 1956, for example, the numbers of Africans employed increased by about 62 per cent, rising to about 610,000.² Simultaneously, events in adjacent territories have affected the supply of workers drawn from outside Southern Rhodesia. Northern Rhodesia's economic growth has created new opportunities for its African population and the number of its workers migrating into employment in Southern Rhodesia has not changed substantially in the past twenty years. The Government of Nyasaland, concerned about the disruption of social life caused by prolonged extra-territorial employment, has tried to supervise and, when possible, to discourage migration. Its attempts to regularise labour migration have hardly been completely effective. But African wage rates in many local jobs have been pushed up in an effort to compete with outsiders for the best workers. In addition, the conditions offered to those who continue to migrate abroad have been more carefully scrutinised. In the early post-war years, the number of migrant labourers from the Portuguese territories increased substantially. The Rhodesias, however, cannot rely completely on a continued expansion of the labour supply from this source.

The result of this combination of circumstances is that European employers in Southern Rhodesia have been obliged to depend more heavily on workers drawn from the indigenous economy at home. By 1956, Africans indigenous to Southern Rhodesia still formed only about 49 per cent of the colony's wage

1. Statistics drawn from *Reports on the Census, Southern Rhodesia*.

2. *Report on the Census of Africans in Employment, 1956*.

labour force, compared with roughly 46 per cent a decade earlier. But the growth in European employers' demand for labour during this period meant that the *absolute* numbers of indigenous workers employed in Southern Rhodesia rose by more than 70 per cent.¹ The expansion in labour requirements has called for more workers than the indigenous economy could spare on the former terms.² Growth of the money economy of Northern Rhodesia produced a similar situation at about the same time. In consequence, an unprecedented upward pressure on the African real wage has been produced. This marked increase in the real wage is not primarily due to greater concern on the part of the employer that the African should participate more fully in the gains from economic advance. It is a by-product of the interaction between the money and the indigenous economies within the Rhodesian economic system.

Thus the present stage in the evolution of contact between the money and the indigenous economies is, at least temporarily, more favourable to the African's prospects for economic advance than has been the case in the past. How permanent is this likely to be? The present situation rests upon a delicate set of relationships which can easily be upset. The most immediate threat to this delicate balance is deterioration of the indigenous economy. The present situation has evolved because the African worker, if

1. *Ibid.*

2. In view of the interest of Southern Rhodesian employers in hiring extra-territorial workers, recent legislation in Southern Rhodesia might appear, at first glance, to be paradoxical. During the 1959 slump in business activity, a bill to control immigrant labour was passed. Its terms empowered the government to restrict the number of non-indigenous Africans seeking work in the urban areas of the colony and to give priority in urban jobs to workers of Southern Rhodesian origin. The bill, however, is not intended to impede the influx of immigrant labour into the colony as a whole. Mining and European farming are specifically excluded from its coverage and the maximum possible inflow of extra-territorial labour into these sectors is still encouraged. These two fields of employment, it should be borne in mind, claim more than half of the colony's African wage earners. Further, wages paid by European farmers and by the small mines are the lowest in the colony. African workers indigenous to Southern Rhodesia have displayed increasingly a preference for the more highly paid urban jobs. Thus, this further intervention by the government into the labour market attempts to re-direct labour from a sector in which there is a temporary labour surplus (in the urban centres) to ones in which there has been a chronic labour 'shortage' (European agriculture and small-scale mining).

necessary, could always fall back upon indigenous production to provide for the minimum needs of himself and his family. This economic reserve has propped up his bargaining position. But the day may not be far distant when this condition no longer holds. Population pressure on the native lands is intensifying rapidly. The traditional technique for maintaining the productivity of the soil, which requires an abundance of land if the conventional level of output is to be maintained, may soon become a physical impossibility. If African agriculture is not to collapse, new techniques must be introduced. And this will require heavy outlays for research and education, for the development of water supplies and soil conservation works and for the provision of transport facilities. Even so, part of the African population will probably be unable to find room on the land. Indeed this problem has already emerged in Nyasaland and in some districts of Southern Rhodesia.

But the improvement in the African real wage may also be checked or reversed by structural changes in the *money* economy. The past decade has presented employers with the unfamiliar problem of substantially higher costs of African labour. In the post-war period, labour costs would have been inflated even if the real wage received by the African had remained at its traditional level. This would have happened because of the inflated prices of rations and accommodation, the minimum subsistence goods which the employer must provide for the worker. But the increase in labour costs has been accelerated since the real wage of the African worker has begun to improve. In combination, these two forces have produced sharp increases in the African wage bill.

Several courses of action are open to employers in adjusting to this situation. If they collectively reduced their demand for African labour, the upward pressure on real wages might be relieved. Conceivably, the traditional level of real wages could be restored and maintained if the money economy cut back its claims on indigenous manpower. This would imply that no more labour would be withdrawn than the indigenous economy could spare without sacrifice in output and that additions to the force of African wage-earners would be restricted to what population growth made available. Alternatively, employers in the money economy might attempt to absorb higher wage costs,

while maintaining their normal profit ratios, by increasing the productivity of their African employees. This course would require stabilising the African labour force and scrapping the migratory labour system. To make this possible, the restrictions which have limited the African's opportunity to grow roots in the urban areas and to acquire residential property would have to be removed. Further, if the output of the African worker is to be substantially increased, the employer may find it advantageous to increase his skills. Such action would require a breach in the colour-bar restrictions on employment.

A third form of adaptation may still be open to the money economy if it chooses to continue its expansion despite the steeper costs of African labour. Conceivably, employers could introduce labour-saving techniques and larger quantities of capital equipment into their production. This move could accommodate the continued growth in the money economy to higher African wage costs. And it might have two further effects. By substituting capital for labour, the total claim on African manpower would be lower, thus relieving part of the pressure for higher real wages. In addition, capital-intensive production on an assembly-line basis may permit the employer to increase the productivity of the African worker without advancing his employment status. Productivity could be increased because the worker has more equipment to assist him. But the tasks performed by the African might continue to be unskilled.

These are the main lines open to the money economy in responding to the situation produced in recent years by the interaction between the money and the indigenous economies. In each case, the effects upon prospects for further economic advancement of the African differ. Economic forces have produced an environment more hospitable to African economic gains than has prevailed in the past. Whether or not this turn of events will have a lasting impact remains to be seen. But we may observe that the outlook for sustained economic improvement for the African depends fundamentally upon two conditions: the state of indigenous agriculture and the form in which future expansion in the money economy is cast.

4. *What is the effect of the Federal Government's economic policies?*

We must now consider briefly the nature of the economic

policies pursued by the Federal Government and their impact upon economic events. It has been argued above that larger economic forces have been primarily responsible for the performance of the Federal economy. This is by no means to suggest that governments are impotent in controlling economic change. On the contrary, official policies may play a dominant rôle in directing and conditioning the economic process. However, we are concerned not with this larger problem but with a narrower one, the impact of policies which are uniquely 'Federal' as distinguished from the direction of policy formerly set by territorial governments.

In the most general sense, federation has brought no change in the major goal of economic policy to Central Africa. Expansion in the money economy has always been the paramount economic objective. Governments have opened the door to foreign capital, have taken care to offer tax rates which could compete for international capital and have attempted to improve the basic facilities required to service highly organised production and exchange. This general framework for policy has been used consistently throughout Central African economic history.

But federation has brought an important and a subtle variation to this theme. The Federal Government's targets do not call simply for economic expansion; a particular type of economic growth – expansion of manufacturing industry – has claimed a much higher priority than was the case in the past. Expansion in other directions, of course, is not discouraged. But whereas formerly the Rhodesias were largely content to remain agricultural and mining areas, the Federation has aimed to build a significant industrial base. Southern Rhodesia had similar aspirations in the later years before federation; see, for example, its sponsorship of the Iron and Steel Commission and the Cotton Industries Board. But the general tone of official policy was better reflected in the Margolis Committee's findings on industrial policy for the territory.¹ In 1946, it argued against artificial inducements to manufacturing industry on the grounds that it would lead to increases in costs, thus threatening the competitive position of the traditional export industries.

1. See *Report of the Committee of Enquiry into the Protection of Secondary Industries in Southern Rhodesia* (The Margolis Committee): 1946.

The Federal Government has reversed this view. For the first time in Central African economic history, protection of domestic manufacturing has been undertaken on a substantial scale.¹ If conclusions were to be drawn from the number of manufacturing industries established since 1953, this policy might appear to have been successful. Two important qualifications, however, must be borne in mind. Part of this expansion would certainly have occurred in any event as part of the backwash of the expansion in the money economy (in fields other than manufacture). This expansion, on its own, could stimulate new manufacturing ventures to serve the growing purchasing power of the domestic market. Similarly, government building and construction programmes have raised the local demand for several categories of manufactured products. Expansion in the capacity of such industries as cement and brick making can be largely explained in this way.

A less obvious qualification concerns the expansion in certain industries since the Federal Government began its encouragement of local manufacturing. For a time, the textile and jute industries made particularly rapid strides. But their expansion was the result neither of the unique merits of their products, nor of growing domestic demand. These industries depended upon the peculiarities of diplomatic relations between India and the Union of South Africa. In the early years of the Federation,

1. Technically, the governments of the Federal area lacked the authority to provide common protection to their domestic industries before federation. Both Nyasaland and a small north-eastern portion of Northern Rhodesia lay within the 'Congo Basin Treaty' area – an area in which, by international agreement, preferential treatment could not be given to imports from any particular country. This condition in no way denied Southern or Northern Rhodesian exporters access to markets in the remainder of the present Federation; rather it obliged them to compete for Nyasaland markets, for example, on the same terms as exporters from Britain, Italy, France, or the United States. Abrogation of the Congo Basin Treaty by the Federal Government in 1957 has been alleged to be one of the advantages of federation. The economic merit of this claim is doubtful. A common and protective tariff for the Federation as a whole might be regarded as contributing to industrial expansion within the Federation (1) if a sizeable volume of the import trade of Nyasaland and the north-eastern portion of Northern Rhodesia were thereby diverted to the Rhodesias; (2) if the trade which was re-directed resulted in significant increases in demand for producers in the Rhodesias. From experience to date, there is little reason to believe that these conditions prevail.

relations between these two governments had become strained to the point where the Union Government imposed an embargo on imports from India, the traditional source of cheap piece-goods for sale in South Africa. The Federation became the loophole through which this trade was diverted. Using Indian piece-goods, the number of local textile manufacturers mushroomed, expanding output for export to South Africa. This traffic has subsequently been restricted and the local textile industry has appealed for extensive governmental assistance.

But the most significant policy decision affecting industrialisation has been the Federal Government's commitment to the Kariba undertaking. The choice of this project can only be understood in the context of long-term ambitions to develop a substantial industrial economy. While it is true that existing industries in the Federation required new sources of power, particularly the Northern Rhodesian copper-mining industry, a project on the scale of Kariba was not necessary in order to fill this gap. Less costly ventures, such as the Kafue scheme, could have served this purpose adequately. Kariba, costing three to four times as much as the Kafue scheme, will have at completion a capacity far in excess of the anticipated requirements of a future Federal economy structured on the lines of the past. It is hoped that an abundance of power will overcome some of the past deterrents to investment in manufacturing.

What accounts for this latter-day Rhodesian enthusiasm for an industrial future for the money economy? It may be that part of the appeal of this policy lies in larger political considerations. A growing industrial base in the economy, using capital-intensive techniques, may offer a means of reconciling the long-standing objectives of settler supremacy to changed economic conditions.

It has traditionally been an axiom of policy to promote expansion in the money economy and thereby to attract European immigrants. The major institutions of racial policy in the Rhodesias have served this economic end. But the higher cost of African labour which the inter-action between the money and indigenous economies has produced in recent years has challenged one of the presuppositions of the established economic order. It is no longer the case that African labour is both abundant and cheap. Formerly, the European employer could

operate profitably while paying artificially high wages to European workers, as long as African labour cost him little. But the rise in African labour costs demands substantial re-adjustments. The operations of the money economy might continue without heavier injections of capital and without alterations in productive techniques provided that colour bar restrictions were scrapped. With allowance of time for training, higher African labour costs could be absorbed by increasing the African's skills and thereby advancing his productivity. Such adjustment, however, would also call for sweeping amendments in the fabric of Rhodesian society. This threat may be minimised (although not eliminated) by changing the techniques of production in the money economy. With the use of higher and more expensive technology, the African can produce more without an improvement in his industrial status. And, what is equally important, new jobs can continue to be created for Europeans to fill.

This process appears to have been under way in the recent evolution of the Rhodesian economy. It is not a dramatic and sudden shift, but a gradual transition. Moreover this should not be confused with current discussions of automation in industrialised economies; the changes capable of producing this effect are as yet mostly quite elementary. Nevertheless, important re-adjustments are observable in the various sectors of the money economy. Some of the established industries have recently found it worthwhile to mechanise tasks which were assigned to African labour in the days when it was cheaper. Changes in methods of operation by large-scale mines in the Rhodesias are a case in point. Many of the small mining concerns have been unable to make such adjustments and have suspended operation; the number of small mining properties in Southern Rhodesia, for example, has declined dramatically since the war.¹ African labour has thus been released for employment elsewhere. European farming (which is still the largest single employer of African workers) would now employ many more than at present had it continued to use the techniques practised before the war. In the past decade, tractors (which were an unfamiliar sight on Rhodesian farms in the 1930s) have been introduced at a rate far in excess of the rate at

1. See *Reports of the Chief Government Mining Engineer, Southern Rhodesia*.

which cultivated acreage has increased.¹ But the manufacturing sector is the most important segment of the economy in this process of re-adjustment. It is there that the swiftest advance in the output of unskilled labour is obtainable. And one further fact stands out in the post-war expansion of manufacturing industry particularly in Southern Rhodesia: while employment has expanded for both European and African, employment opportunities for Europeans have grown at a proportionately faster pace.² The availability of Kariba power may make further adjustments along these lines possible.

The effects upon the African's economic position of the high priority now assigned to industrialisation may be felt more directly in other ways. The government's commitment to support a large-scale industrial establishment is likely to absorb the bulk of the funds which it can mobilise both at home or abroad. Little may remain to finance other urgent requirements, particularly those which have the most immediate bearing on the African's economic prospects. Public funds which might be used to finance the urbanisation and education of the African population and the reorganisation of indigenous agriculture will instead be allocated to construct facilities for large-scale industry. With available resources, governments simply will not be able both to give African economic improvement the support it requires and to develop the base for industrialisation on the scale contemplated. This presupposes that governments would be willing to finance major improvements in indigenous agriculture and in urban housing for the African if public funds were larger. For a few years after federation, it appeared that governments – particularly the Southern Rhodesian Government – were prepared to give long-overdue attention to these matters. But changes in the climate of European politics since early in 1958 have darkened the outlook for these ventures.

These observations should not be understood to imply that economic policy for the Federation would do better to turn its back completely on industrial expansion. On the contrary, growth in manufacturing industry does create new jobs off the land. This is necessary in the long-term interests of all inhabitants. But a more modest promotion of industry, combined

1. See *Reports on Agricultural and Pastoral Production*.

2. See *Census of Industrial Production*: 1957-58.

with agricultural reform and urbanisation, would far better serve the long-term interests of the African. The scale of the recent drive for industrialisation suggests that the Rhodesias seek an economic future which will permit settler supremacy to adapt to new economic circumstances. Meanwhile, the conditions which have enabled the African wage earner to improve his real wage in recent years may be undermined, and the recent and novel improvement in the economic fortunes of the African wage earner may well prove transitory.

5. *Conclusion*

The main findings of this examination of the Central African economy may be summarised as follows:

- (1) The Federal economy, as measured by the conventional indicators, has unquestionably expanded at a remarkable rate in recent years.
- (2) The political and administrative re-structuring of these territories, in itself, has had negligible effect upon this economic performance.
- (3) The achievements of the Central African economy can largely be explained by the action of normal economic forces which have been little affected by the changed administrative structure of the area.
- (4) The course of economic policy set since federation may work, in the long term, to the economic disadvantage of the African.

CHAPTER 8

FEDERATION AND THE DISTRIBUTION OF ECONOMIC BENEFITS

Chapter 7 was primarily concerned with the overall changes which have occurred in the economy of the federal area. The next question is, what effects has federation had on the *distribution* of gains from economic growth? This problem has many

facets. For present purposes, however, attention will be concentrated on two of its important aspects: (1) the effects of the Federation's fiscal arrangements on the individual territories, and (2) the distribution of the costs of government and the benefits derived from it, between the different racial groups in Central Africa. In addition, special attention must be given to the effects of federation and federal policies upon Nyasaland.

1. *The fiscal consequences of federation for individual territories*

Federation has not had a neutral effect upon the allocation of public revenues between the several territories. Indeed, it was not intended to preserve the *status quo ante*. The terms of the federal contract called for the Federal Government to assume the major powers to tax personal income and corporate profits and to levy customs and excise duties. While the territorial governments retained the right to levy certain taxes on their own account, the major source of their incomes has been a share of federal tax receipts. Under the original conditions, Federal collections of income and profits taxes were to be allocated among the territories as follows: Northern Rhodesia, 17 per cent; Southern Rhodesia, 13 per cent; Nyasaland, 6 per cent. The Federal Government was authorised to retain 64 per cent for its own purposes.¹ But the administrative re-alignment of 1953 did more than federalise the major sources of public revenue. In addition, the Federal Government took over expensive functions which had formerly been performed and financed by the territories.

In the pre-1953 discussions of federation, considerable attention was given to the prospect that the proposed form of government would accomplish significant re-allocations of governmental resources among the Central African territories. Much of the enthusiasm of Europeans in Southern Rhodesia for the federal scheme was based on the expectation that federation would enable Northern Rhodesia's copper wealth to support Southern Rhodesian aspirations. On the other hand, support for federation was also won, in quite different quarters, with the argument that the federal arrangement would bring a sizeable

1. These arrangements have since been slightly modified. The Federal Government's share was reduced to 62 per cent of the total collection, beginning with the financial year 1957-58.

redistribution of income in favour of Nyasaland. In view of these expectations, it is illuminating to examine the allocation of public revenues between the territories in the years before and after federation.

Table 1: Ordinary Revenue Receipts, Territorial and Federal Governments (£000,000s)

	Southern Rhodesia	Northern Rhodesia	Nyasa- land	Federal Govern- ment	Total
1951	21.2	17.8	3.1	—	42.1
1952	28.5	32.2	3.2	—	63.9
1953	22.3	39.9	4.5	—	66.7
1956-57	17.1	19.3	6.3	53.0	95.7
1957-58	19.7	19.0	5.5	56.4	100.6

Notes: Accounting periods for the several governments were not uniform before federation. In Northern Rhodesia and Nyasaland, public accounts were kept on a calendar year basis. Southern Rhodesian accounts were based on a financial year ending 31 March; in the table above, entries opposite 1951, 1952, and 1953 show the revenue reported for the financial year beginning in each of these years. All territories have since adopted the federal financial year which begins on 1 July.

In Nyasaland, 'ordinary revenue' is defined as total receipts less two items: grants from the Colonial Development and Welfare Fund and payments by the Trans-Zambesia Railway in interest and redemption of debt. Accounts in Nyasaland were converted to the federal financial year through an extension of the accounting period to eighteen months from 1 January 1953 to 30 June 1954. The figure shown for 1953, therefore, is an estimate based on the assumption that two-thirds of the receipts for the eighteen-month period were attributable to the calendar year 1953.

Data are drawn from the published accounts of the various governments and the revenue returns reported in the *Monthly Digest of Statistics*.

Perhaps the most striking feature of this table is the dramatic drop in receipts by the Northern Rhodesian Government after federation. In the last pre-federal year, Northern Rhodesia collected about 60 per cent of Central African public revenue; by 1957-58, its share had fallen to less than 20 per cent. Undoubtedly, its revenues would have been much higher if it had not shared taxes on the copper industry with other governments. No one can say precisely what Northern Rhodesian revenues

would have been in the absence of federation. But there can be no question that the Copperbelt has been the financial backbone of the federal fiscal structure.

A general indication of what happened in the re-allocation of taxes on the copper industry can be seen from a few simple calculations. In the financial year 1956-57 the Northern Rhodesian copper companies paid £32 million in taxes.¹ Only £11 million of this total was collected by the Northern Rhodesian Government (both through its share of federal tax collections and through its 'territorial surcharge' on corporate profits). Thus £21 million of the £32 million total accrued to other governments. The Federal Government retained £16 million as its share - a sum amounting to more than 60 per cent of its income tax receipts in that year. Clearly one territory (and one industry within it) has made the major financial contribution to federation.

The comparisons of territorial revenues before and after federation also indicate that Nyasaland now has larger sums at its disposal than it had before 1953. Further, Nyasaland is the only one of the three territories of which this is true. Figures released by Rhodesia House in London have put the gain to Nyasaland at several million pounds annually.² The Finance

1. Based on a statement by Sir Ronald Prain, Managing Director of the Rhodesian Selection Trust, as reported in *East Africa and Rhodesia*, p. 331, 13 November 1958. Even these calculations do not indicate the full significance of the Copperbelt for Federal financing. In addition to taxes paid on corporate earnings, other incomes generated by the industry further swell the tax returns; e.g. the income taxes paid by the employees of the copper companies and the tax paid by the British South Africa Company on income received from copper royalties. Moreover, the copper industry is the major local contributor to loan financing by governments. The copper groups have provided £3 million on loan to the Federal Government for railway development and have agreed to supply £20 million toward the costs of the Kariba project through loans and surcharges on Kariba power. The Rhodesian Selection Trust has also extended loans in the amount of £2 million to the Northern Rhodesian Government and £1 million to the Nyasaland Government for African agricultural improvement.

With the fall in world prices for copper after 1956, earnings of the industry have been substantially reduced. Owing to the time lag between the earnings of profits and the payment of tax, the full effect of the copper slump will not be felt by the Federal Treasury until the financial year 1959-60.

2. *East Africa and Rhodesia*, p. 1033: 30 April 1959

Department of the Nyasaland Government has been quoted as valuing the federal link as worth about £3 million.¹

While Nyasaland has obtained some financial gains through federation, assessing the magnitude of the gain is not as straightforward as these statements might suggest. It is not sufficient to show that revenues accruing to the Protectorate are now higher than they were formerly. The relevant question is, what would Nyasaland's receipts have been if its former status had been retained? To this question, a precise answer is impossible. One of the effects of federation is that the statistical eggs of Central Africa have been scrambled, so scrambled that the basis for estimation of what a territory's income would have been otherwise has been destroyed. This matter is particularly pertinent in the case of Nyasaland. Before 1953, customs receipts were an important source of revenue to its territorial government; proportionately, this source was far more significant in Nyasaland's territorial budget than in either of the Rhodesias. Federation has meant that import statistics are no longer compiled on a territorial basis. Estimates of the revenue which Nyasaland might have acquired had the pre-1953 arrangements been retained cannot, therefore, be confidently made. Certainly even its modest rate of economic expansion – which would have occurred in any event – would have brought higher revenues to the Protectorate, quite apart from federation. Although federation has no doubt eased some of the fiscal strain on Nyasaland, one must view critically statements purporting to measure the sums redistributed in its favour.

But conclusions about federation's redistributive effects should not be drawn from an examination of the revenue side of the territorial ledgers alone. Equally, if not more significant is the allocation of services which the Federal Government has taken over from the territories. While the two Rhodesias have sacrificed current revenue, they have also been relieved of expensive responsibilities which they have passed to Federal jurisdiction. In this respect, Southern Rhodesia has benefited enormously. The major expenditure items transferred to the Federal Government have been those which provide services primarily for Europeans. Not only did Southern Rhodesia have the heaviest concentration of European population in 1953, but

1. Cited by P. J. Monkhouse: *Manchester Guardian*: 7 April 1959.

it has also received the biggest share of post-1953 immigrants. In consequence, the relief given to its budget by federation (which was from the first very substantial) has steadily increased.

A few specific categories of expenditure which have been shifted from the territorial to the federal account will illustrate this. Transfers of two expenditure items, European agriculture and non-African education, have affected the Rhodesias almost exclusively, Southern Rhodesia being the major beneficiary.¹ These items alone accounted for roughly 22 per cent of the current expenditures undertaken by the Federal Government in the two financial years 1956-1958.² Nyasaland has scarcely been touched by these administrative changes. European agriculture is still a territorial subject there and, with its small non-African population, the education expenditures financed by the Federal Government have given no noticeable relief to its budget.

The Federal Government has also assumed primary responsibility for road, rail and air transport, for posts and telegraphs and for the development of power. Territorial governments have thus been relieved of expenditures which they would otherwise have been called upon to finance.³ Once again, the Rhodesias have received the major gains from these changes. Their economies are more advanced and the services which they had developed before 1953 were both qualitatively and quantitatively superior to, as well as far more expensive than Nyasaland's. For example, when posts and telegraphs were a territorial responsibility in 1952, Southern Rhodesia appropriated from revenue £1,681,000 for the current operation of these services; Northern Rhodesia's expenditure on revenue account was £464,000. Nyasaland, by contrast, spent only £134,000 from revenue on these subjects. The federal arrangement thus has reduced the cost side of the territorial ledger substantially in the

1. European agriculture in Northern Rhodesia was not originally a federal subject. It was transferred to federal jurisdiction in 1956.

2. This calculation is derived by aggregating federal expenditures charged to revenue votes under Education and Agriculture. Funds appropriated to loan account from revenue votes are excluded from the aggregate expenditures charged to revenue votes.

3. While the Federal Government has responsibility for the major road systems, the territories are still empowered to undertake road construction on their own account.

Rhodesias, especially in Southern Rhodesia, but very little in Nyasaland.

In one category of services, however, federation has brought benefits to Nyasaland which should not be overlooked. Expenditure on public health, now a federal responsibility, has increased in the Protectorate since 1953. According to estimates prepared by Rhodesia House, recurrent expenditure on health services in Nyasaland amounted to £1 million in 1958, compared with less than £300,000 before federation.¹ Undoubtedly, improvements in these services are important to the welfare of the inhabitants of the territory. At the same time, it should be noted that total federal expenditures on health from revenue came to nearly £6 million in the financial year 1957-58.² While the sums spent in Nyasaland have gone up, the Protectorate, with more than one-third of Central Africa's population, gets roughly one-sixth of the revenue appropriations for health services.

But transfer of responsibility for the basic economic services has not meant simply that a federal government now pays the same bills that would otherwise be paid by the territories individually. Part of the *rationale* offered for the federal scheme was that a federal government would expand these services, in large measure through loans. Reasons have already been given for viewing sceptically the claims that aggregate borrowings have in fact been substantially different from what they would have been without federation.³ Here we are not concerned with the total size of the loans but with their distribution between the territories. On this point, the record is unequivocal: development expenditures on federal account have been overwhelmingly allocated to the Rhodesias. The priority of the Rhodesias is clearly brought out in the allocation of expenditures called for in the Federal Government's development plans. In the first plan covering the years 1955-59, for example, an expenditure of £63.3 million was projected, not including the costs of Kariba. Of this total, the largest single share was claimed by the Rhodesia Railways; roughly forty per cent of the programme was allocated to this service alone. The bulk of the planned ex-

1. Letter to *The Economist* of 4 April 1959, from L. F. G. Anthony, Rhodesia House, London.

2. *Monthly Digest of Statistics*: March 1959.

3. See Chapter 7.

penditures on roads and bridges was also for the Rhodesias. The same applies to the expenditure budgeted for capital development of the tele-communications system. Meanwhile the one sizeable development project to which Nyasaland had assigned high priority, the Shire Valley scheme for irrigation and land reclamation, has been shelved.

The development plans have since been revised. But the same pattern has been preserved.¹ The pattern of spending which has actually occurred makes the point even more clearly. From 1954 through 1958 total expenditure of capital funds raised by the Federal Government may be estimated at about £130-40 millions.² The greater part of this was spent by federally-financed statutory commissions (including spending on Kariba and Rhodesia Railways), nearly all of it in the Rhodesias. In the five financial years 1954-5 to 1958-9 Nyasaland's share of the capital resources disposed of by the Federal Government was only £6.2 millions.³

One final matter in connection with the impact of federation on the territorial fiscal structures must be examined. The terms of federation contained provisions that most external borrowings would be negotiated by the Federal Government which, in turn, would apportion part of the proceeds among the territories. The Rhodesias, which had been successful in obtaining overseas loans on their own before federation, were not expected to gain substantially by sharing in the Federal Government's borrow-

1. In mid-1957, the Federal development plan was revised to call for an expenditure of nearly £138 million in the financial years 1957-1961. In the allocation, the Kariba project (£54 million) and the Rhodesia Railways (£38.8 million) accounted for more than two-thirds of the total. In a subsequent revision in mid-1958, planned expenditure was reduced by approximately £16 million. Despite the smaller aggregate, the two items above continued to claim more than two-thirds of the total.

2. Consolidated capital accounts prepared by the Central African Statistical Office (see *Supplement, Monthly Digest of Statistics*: June 1959) show that aggregate capital formation by the four Central Africa governments for the years 1954-8 was £89.5 millions. For the year 1957 the Federal Government's contribution to the total (analysed by the Central African Statistical Office and published in the *Monthly Digest of Statistics*: October 1958) was roughly 47%. This may be taken as a guide to the Federal Government's share of consolidated government capital formation for the five-year period. During these years £97 millions were spent by the almost wholly federally-supported statutory commissions.

3. *Annexure to Newsletter No. 26*: 1959.

ings. But Nyasaland, the weakest territory economically, was expected to benefit from this provision. Whether the Government of Nyasaland could have raised more abroad on its own behalf than it has obtained through its participation in federal issues will never be known. One point, however, is clear: receipts from loans raised by the Federal Government have gone less than a third of the way toward covering the cost of Nyasaland's modest territorial development plan. Loans which the territory negotiated independently (from the Colonial Development Corporation and the Rhodesian Selection Trust) and grants from the Colonial Development and Welfare Funds, have contributed more to its development fund than have proceeds from federal borrowing.¹

2. *The costs and benefits of government to the different races*

Let us now turn our attention to the allocation of the costs and benefits of governmental activities between the major racial groupings in Central Africa. The problems raised are highly complex. Yet an insight into the central issues may be gleaned from a brief survey of the Central African structure of public finance.

For the sake of simplicity, services provided by governments may be separated into two compartments, according to the nature of the benefits dispensed. From certain expenditures direct benefits accrue; i.e. benefits which can be specifically assigned to particular groups. Other expenditures afford indirect benefits; in greater or lesser degree, all groups in the community derive some advantage from them and the gains cannot be unambiguously proportioned among the groups. Quantitatively, indirect benefits comprise the largest part of recurrent budgets in Central Africa. The 'housekeeping' functions of governments fall into this category. The expenses of day-to-day administration and the maintenance of law and order must be met by any government. Presumably every citizen, regardless of his status within the community, obtains some benefits from expenditures incurred in the discharge of the administrative and policing functions of the state. In the

1. See accounts for the financial year 1957-58 and estimates for the financial year 1958-59, as reported in the *Monthly Digest of Statistics*: March 1959.

Federation, it might be argued that Europeans gain more from these services than do Africans, for the law-making and law-enforcing processes are under European control. But no attempt will be made to allocate gains derived from these services between the racial groupings.

In certain items of expenditure there may be some overlapping between direct and indirect benefits. The budgets for such government departments as Commerce and Industry, Mining, Geological Surveys, are cases in point. Advantages may accrue to both racial groups from the efficient discharge of these functions, although it is the main object of policy that these services should promote the interests of European enterprises.

In the field of direct benefits, however, Europeans are eligible for many costly services which are either denied to Africans or available to only a few of them. If he is a farmer, the European has the facilities of the Land and Agricultural Bank at his disposal which permit him to borrow on favourable terms. If he is an industrialist, he may apply to the various industrial loan boards for assistance. If he is a small miner, the government may aid him by providing equipment at subsidised rates and by recruiting African workers for him. If he is a civil servant, he may borrow public funds for his residence. Should he be unemployed or should he be incapable of supporting himself in old age, the European – but not the African – may apply for government assistance.

Both racial groups, however, are eligible for two types of direct benefits financed from public funds: education and services to agriculture. Comparison of the allocations can be readily drawn. The allocation of expenditures on education for Europeans and for Africans may be observed in Table 2.

Table 2: Expenditures from Revenue Votes on Education (£,000's)

	<i>European</i>	<i>African</i>
1950	1,641	1,143
1951	1,925	1,338
1952	2,285	1,498
1956-57	4,664	3,814
1957-58	5,533	4,557

Notes: Expenditure on African education and on European education in the Rhodesias before 1953 is obtained by aggregating territorial expenditures

from revenue on these subjects. Education costs in Nyasaland were not segregated between the races before federation; for 1950-1952 the total charge to education in Nyasaland is treated as African. Southern Rhodesian expenditures before federation refer to the financial year beginning in the year shown.

The Federal Government is responsible for higher education for all races. These costs are included under European education. Some African students attend the University College but costs attributable to them cannot be separately apportioned.

The column on the right in Table 2 supports the statement frequently made that expenditure on African education has increased since federation. In itself, however, it tells only part of the story. The growth in appropriations for European education is equally striking. The general expansion in revenues available to Central African governments has permitted heavier expenditures for both groups. There is little indication, however, that significantly greater priority has been assigned to education for Africans. More African children are receiving some exposure to formal schooling than has been the case in the past. But one fact must stand at the forefront in such discussions: more is spent on education for a European population of less than 300,000 than on an African population of more than 7,300,000.

An even more striking discrepancy between the allocations received by the racial groups is observable in expenditures on agriculture. Federation has segregated the agricultural services for European and African in Northern Rhodesia; formerly, this had been the case only in Southern Rhodesia. As Table 3 indicates, the European farming community in the Rhodesias has drawn far more heavily on public funds than have African farmers.

Table 3: Expenditures from Revenue Votes on Agricultural Services in the Rhodesias (£000s)

	<i>European</i>	<i>African</i>
1956-57	5,074	1,877
1957-58	6,128	1,672

Notes: Expenditures for European agriculture are the aggregate of federal outlays voted for agriculture; the Federal Government has no jurisdiction over African agriculture or over European agriculture in Nyasaland. Expenditures on African agriculture include: sums spent from revenue and

charged to Native Agriculture and the Native Land Husbandry Act in Southern Rhodesia; expenditures from revenue votes on agriculture, co-operatives and African marketing, and veterinary services in Northern Rhodesia.

One cannot escape the conclusion that the allocation of benefits from public expenditure has been weighted disproportionately in favour of Europeans. Not only has the European community gained far out of proportion to its numbers, but even the *absolute* sums expended have been much larger for Europeans than for Africans. Federation did not create this situation. It has long been an established part of the institutional environment in the Rhodesias. But, under federation, this environment has been perpetuated.

Let us now consider how the costs of government are met and how the burden of taxation is distributed between the racial groups. It is frequently asserted in the Rhodesias that higher government spending on African welfare cannot be justified because the African makes virtually no contribution to revenue. This view demands closer inspection, especially in relation to the contributions made by Europeans to public revenues.

Three types of taxation provide the bulk of the receipts of the Federal and territorial governments: taxes on companies, direct taxes on persons (income and poll taxes) and indirect taxes on goods and services (primarily customs and excise duties). Of these, taxes on corporate profits are by far the most important single source of revenue. Like the indirect benefits from public expenditure, these taxes cannot be assigned to either racial group. Both contribute to the creation of profits. The success of tax-paying enterprises depends jointly on the capital, skill, and labour provided by Europeans and on the labour supplied by Africans.

Both racial groups, however, pay direct taxes and comparisons between the contributions of each can be made. The basic tax to which Africans are subject is a poll tax; in 1957, approximately £1.9 million was collected from Africans in this way.¹ Europeans feel direct taxation through income tax. Personal income tax payments to the Federal Government came to about £6,850,000 in 1957.² In addition, a territorial surcharge

1. *Monthly Digest of Statistics*, p. v: October 1958.

2. *Federation of Rhodesia and Nyasaland Newsletter*, p. 8: 12 July 1958.

on personal incomes, amounting to 20 per cent of the Federal tax, is levied by Southern Rhodesia and Nyasaland (although not by Northern Rhodesia). If it is assumed that three-quarters of the personal incomes taxed by the Federal Government originated in Southern Rhodesia and Nyasaland,¹ then the total direct personal taxes of Europeans would amount to about £7.9 million.

In absolute sums, therefore, Europeans pay more in direct tax than do Africans. Comparison of direct taxes with the money incomes received by the various groups, however, yields the results shown in Table 4.

Table 4: Personal Incomes and Direct Taxation by Racial Groups, Federation of Rhodesia and Nyasaland, 1957, based on data drawn from the *Economic Report, Federation of Rhodesia and Nyasaland*, 1958.

European personal incomes	£185.6 m.	African money incomes	£91 m.
Income tax	7.9 m.	Native tax	1.9 m.
Percentage of total European income paid in income tax	4.25%	Percentage of total African money income paid in native tax	2.1%
Approximate <i>per capita</i> income (European population)	£660	Approximate <i>per capita</i> money income (African population)	£12.5

As appears above, the tax structure as it affects the burden of direct taxation between the races cannot be called steeply progressive. Africans do not pay direct taxes in amounts equal to those paid by Europeans. But, in view of the differentials in average income between the groups, direct taxation pinches more sharply on the African than on the European. Nor should it be forgotten that all adult male Africans who are judged to be able-bodied must pay direct tax, regardless of the size of their money income. Under the Federal income tax structure, a married European with three children can enjoy a tax-free income of up to £1,733 per annum if he saves £100 per year in a pension fund and pays £100 to a medical aid society.²

1. Between them, Southern Rhodesia and Nyasaland have about three-quarters of the Federation's European population.

2. This example was cited by the Federal Minister of Finance in his Budget speech, 28 June 1956, as reported in the *Budget Summary, Newsletter Supplement*, p. 10.

Indirect taxes, the other form of taxation which affects individuals, are paid by consumers of taxed goods and services (whether they be European or African). Europeans, with their commanding share of money income, can finance a larger volume of consumer purchases than Africans can. But it does not follow that Europeans thereby lose a higher proportion of their money income through indirect taxation than do Africans. Items which fall within the limited African budget have indirect taxes attached to them. Moreover, the trend of post-federation budgets has been towards increasing the burden on the African consumer. In the 1955-56 budget, taxes on low-grade cigarettes, purchased almost exclusively by Africans, were raised. When customs duties were increased on imported garments in the 1956-57 budget, the Minister of Finance emphasised that these duties were 'aimed at the very cheapest garments'.¹ In introducing his 1958-59 budget, the Minister of Finance stated that his objective was to reduce expenditure rather than to increase taxation. The major cutback in expenditure was the reduction of the subsidy on maize, the staple in the African diet, by 5s per 100-lb. bag. European farmers, who supply the bulk of the maize which is marketed and for whose benefit the subsidy had originally been intended, were unaffected by this cutback. The government continued to guarantee an artificially high price to the producer. Recognising that this change would mean higher prices to consumers of maize, the Minister of Finance predicted that the burden 'would fall mainly on the employer of labour'; he was sure, however, that members of parliament 'would agree that very much more unpleasant measures could have been adopted to balance the budget.'² The burden on African purchasers of maize was not mentioned in this statement. Subsequent protest demonstrations by Africans, however, testified to the impact upon their cost of living.

These features of the Central African tax structure suggest that the burden placed on Africans by the fiscal authorities is steadily increasing. The aggregate sums paid into Central African treasuries by Africans do not yet equal those paid by Europeans.

1. *Budget Summary, Newsletter Supplement*, p. 10: 28 June 1956. This measure was largely intended to protect the domestic textile industry. It has nevertheless meant higher costs to the African consumer.

2. *Budget Summary, Newsletter Supplement*, pp. 10-11: 28 June 1958.

But judged by the standard of 'the ability to pay' – a principle of tax policy to which Western governments in the main subscribe – it is the European, not the African, whom the Central African tax structure lets off lightly.

3. *The special status of Nyasaland*

A few concluding remarks are appropriate on the special status of Nyasaland. It is the weakest economic unit among the Central African territories and the federal tie has done little to strengthen it. From one point of view, however, it is not unreasonable that the federal planners should have chosen to concentrate their major efforts on the Rhodesias and to give only passing attention to Nyasaland. The yields which might be expected to flow from investments in the richer territories are undoubtedly higher than they are in the poor territory. Moreover, the stage of economic expansion reached by the Rhodesias was such that serious bottlenecks had developed in important sectors of the economy, particularly in rail transportation. Public expenditures were necessary in order to improve these services and, as a consequence of the increased economic activity permitted by improvement, the government could expect larger tax receipts. These considerations can, in part, explain the allocations which were made. At the same time, it is worth noting that this selection of federal priorities has minimised the direct impact of federation upon Nyasaland.

While federal expenditure within the geographical confines of Nyasaland have been relatively small, a case might still be made for saying that Nyasaland stands to reap substantial benefits from development expenditures in the Rhodesias. To the extent that these expenditures have expanded economic activity, new incomes have been generated and new employment opportunities created. Nyasaland cannot be totally indifferent to new employment opportunities, even when they are not created within its own borders. Its population is overflowing and, as has typically been the case in the past, is providing a labour supply far in excess of domestic demand. A growing market for African workers in neighbouring territories may thus bring indirect gains to Nyasaland.

Within the framework of orthodox economic theory, the way in which events have unfolded in Central Africa might be judged to

be healthy and normal. In this view, investment resources should not be allocated according to need but should be directed into channels where they yield the highest returns. Further, free mobility of the factors of production – and particularly of labour – should be encouraged. But is Central Africa's situation one which can be adequately dealt with in this way? Chapter 7 suggested that a different approach was necessary. Economic planning in the Federation must be judged by other criteria: in particular, by the extent to which the goal of 'partnership' is fostered. 'Partnership' has been officially associated with the view that the 'economic advancement of the African peoples should precede their political advancement'. It is therefore appropriate to consider briefly the effect of federal policy toward Nyasaland on the economic welfare of Africans in the Federation generally.

When viewed in this light, the position of Nyasaland in the Federation takes on deeper significance. Federal policy has done little to disturb its status as the Ireland of Central Africa – poor, scenic, and with a ready supply of exportable labour. The mobility of its workers has bearing on the economic welfare of the African peoples in two respects. First, the employment of Nyasaland workers in the Rhodesias has undoubtedly kept the wage rate for Africans below what it would have been otherwise. Migration from Nyasaland has thus hampered the economic advance of the Africans of the Rhodesias. But secondly, the worker from Nyasaland has surely improved his economic welfare by migrating; separation from his family (which migration still entails in most cases) hardly advances his social well-being, but presumably he obtains a higher income by migrating than he would have if he had stayed at home.

These effects of labour export from Nyasaland thus have contradictory consequences for the economic advancement of Africans. What alternative arrangement might afford more general economic gains to the African? This problem raises questions similar to those debated in the formulation of policy toward 'depressed areas' in industrialised countries; for example should jobs be taken to unemployed workers or should workers be moved to new jobs? Decisions based on considerations of economic efficiency alone usually recommend moving the labour force. But in Central Africa a strong case can be made on

the other side. Even though the rate of economic growth in the Rhodesias might be retarded, a much heavier allocation of investment expenditure to Nyasaland, and the stimulation of economic growth there, would better serve the long-term social and political stability of Central Africa and better promote the economic interests of the African.

Given the complexion of the Federal Government, such a re-orientation of policy is unlikely. Indeed, to an important element of Rhodesian settler opinion, Nyasaland's membership in the Federation is acceptable only because the availability of its workers for employment in the Rhodesias is better assured thereby. Could a Nyasaland outside the Federation offer greater promise for promoting the economic standards of the African? The question is problematical. Certainly it would require a heavy volume of external assistance in order to develop employment opportunities at home and it would be unrealistic to expect private investors abroad to supply significant sums to the territory in its present condition. Even on the most optimistic assumptions, a sizeable proportion of Nyasaland's population might still be obliged to gain its livelihood in extra-territorial employment.

From the economic experience of Nyasaland under federation, what inferences can be drawn about the viability of an independent Nyasaland? All discussion of this issue must begin with one inescapable fact, the poverty of the territory. On its own, Nyasaland would need large-scale aid from outside if it were to achieve a major break-through against poverty. But federation has not made a direct attack on this problem in Nyasaland. Federation has accomplished some redistribution of public resources in the territory's favour. The volume of this redistribution, however, has been too small to make a significant impact upon its economy. Nor is there good reason to suppose that allocations of federal expenditure to Nyasaland are likely to accelerate under the present political structure of the Federation. There are, on the contrary, good reasons to suppose that the interests of the two Rhodesias will continue to be dominant in the priorities of federal planning.

PART FOUR

The Political Results of Federation

CHAPTER 9

'PARTNERSHIP' AS THE DISMANTLING OF THE COLOUR BAR

The doctrine of 'partnership' was enshrined in the Preamble to the Federal Constitution and is still officially the policy of the Federal Government, although it has never been officially defined. As we have seen, many people in Britain finally gave their approval to federation on the strength of the partnership principle, and it is probably fair to say that its minimum meaning for most people lay in two ideas. First, that the principle of the colour bar would be replaced by the goal of complete racial equality and that government policy would progressively alter practice towards this end. Second, that while this change would meanwhile be carried out by governments controlled by European settlers, or (in the two northern territories) by the Colonial Office, democratic government would become a goal and progressive extensions of democracy would be made in practice forthwith.

Against this hope must be set the fears of the Africans, especially in Northern Rhodesia and Nyasaland. These fears were, first, that instead of an advance towards full democracy which they saw taking place in other British territories in Africa, and looked forward to in their own, federation would transfer effective power to the settlers of the Rhodesias, as the settlers were assured by their leaders it would. This, the Africans thought, would mean the end of their hopes of fully democratic self-government. Second, they feared that the settlers would use their new power to make discrimination more complete, and to

extend discrimination on the Southern Rhodesian pattern into the northern territories. Third, they feared that the 'safeguards' of their interests which were included in the federal constitution would prove ineffective. And fourth, they feared that in time the settlers would actually gain more control than the original federal constitution gave them, and would finally be left in control of an independent state which they would proceed to turn into a white dominion to all intents and purposes like South Africa.

Which of these expectations – liberal hopes or African fears – came closer to the truth? This chapter reviews the changes which have taken place since federation in respect of the colour bar and the next considers the changes made in the representative system.

The main changes since 1953

The most important colour bar is in land and employment, segregating the races and perpetuating economic and social inequality. Land discrimination is most acute in Southern Rhodesia, where the Europeans (about 9% of the total population) have legally exclusive rights over 50% of the total land area, and that chiefly the most fertile, healthy, and best served by communications, while the Africans (about 90% of the total) have in law 41% and in practice are at present mainly confined to some 22%. All the towns are in European areas and Africans live in segregated townships or locations.

The main changes in land apportionment in Southern Rhodesia have been to permit inter-racial clubs and hotel accommodation; to allow African barristers to have chambers in town; to permit African staff and students to reside at the University College in Salisbury. In the towns in both Rhodesias, African home-ownership schemes in separate areas have been promoted, giving long leasehold tenure. The number of Africans included in such schemes is as yet relatively small – full figures are not available – but the total number of homes involved for the whole Federation is growing steadily and is now perhaps in the region of 10–15,000.

In industry, two principal changes have occurred in the colour bar which excludes Africans from skilled employment and maintains European wages approximately ten times higher than

African wages. In Southern Rhodesia, the Industrial Conciliation Act has been amended (in 1959) so that Africans may now join registered trade unions (which may be multi-racial); while in Northern Rhodesia, under the terms of a new agreement of 1955 pressed, after a long struggle, on the European Mineworkers Union by the mining companies, Africans had by June 1958 taken up 654 'advanced' posts out of 900 released from exclusive reservation for Europeans. In 1959 Southern Rhodesia also altered the law which in effect excluded African government employees from the rights and privileges accorded to members of the Public Service. The Federal Public Service regulations permit Africans to hold jobs in the highest pay-scales, and in principle this applies also to the civil services of Northern Rhodesia and Nyasaland and to the Northern Rhodesian Police. Private enterprise (some engineering firms are cited by the Federal Government) has in some cases allowed Africans to hold jobs at European wage-rates. African nurses are being trained by the Department of Health and will be able to earn European salaries if they qualify; one bank is similarly training Africans for work now done by Europeans only; other examples could be quoted. African headmasters have also been appointed in mission and government schools for Africans.

In the field of social services and public amenities, the best-known development since federation is probably the University College at Salisbury, where, by the middle of 1959, 36 Africans, one Indian and one coloured student lived alongside 130 European students.¹ In air, railway and road services discrimination by colour has been officially abolished, although in the latter two services separate classes remain, and in trains 'passengers of one race are normally accommodated together' in each class of accommodation. In the spring of 1959 the Federal Government decided to abolish segregation in Post Offices and a similar relaxation has occurred in live theatres in both Rhodesias and in two cinemas, one in Lusaka and one in Salisbury. In 1959 Africans were also permitted to take part in lotteries, and to bet on horse races; and there have been changes in the liquor laws, so that Africans can now buy 'European' wines and beers in all three territories, and spirits in Nyasaland and in multi-racial hotels in Southern Rhodesia if and when any are opened.

1. *The Times Educational Supplement*: 18 July 1959.

Race Relations Advisory and Conciliation Committees were established in Northern Rhodesia in 1957; and generally, in the words of the High Commissioner, 'the treatment of Africans in offices, banks, shops and hotels has been greatly improved . . .'

These changes are surely changes in the right direction. Some of them, for instance the appointment of Africans as headmasters of African schools, are admittedly only bringing Rhodesian practice into line with what already exists in South Africa; yet the majority of these changes do stand in marked contrast with the hardening *apartheid* of the Union. It is altogether necessary to recognise this.

But the question is which of these improvements, if any, are fundamental; which are real improvements and which are nominal; which are due to government policy and which were extorted from the government by African political action; which can be regarded as first instalments of further improvement, and which must be regarded as the most which are ever likely to be conceded; and, most important of all, how many of the changes are regarded by the Africans themselves as sincere and valuable. The question is, in short, whether the final balance of fundamental change really encourages hope or not.

Colour bar in land

Consider the colour bar in land. Is the essential thing concessions to small numbers of 'advanced' Africans in the towns, or the absence of fundamental change, actual or promised, in land apportionment as a whole? In every year since federation the grim course of evictions of Southern Rhodesian Africans from their hereditary holdings in areas now designated European, into already overcrowded 'native' areas, has continued (e.g. 4,000 people in 1955). Sometimes their old land gets farmed. As often as not it lies idle. In 1957 only 2½% of the area reserved for Europeans in this way was under the plough.

These evictions have been going on for so long (every year since the Second World War) that perhaps few Europeans still think of them as changes. Yet the evictions, and the great inequality they underwrite, make gestures such as the concession of chambers to an African barrister seem insincere to the ordinary African.

In Nyasaland, on the other hand, the territorial government

has worked in the opposite direction, buying European-owned land for Africans who were formerly 'tied' labourers. Yet even in the Protectorates there are other trends which seem threatening to Africans. In Northern Rhodesia European farmers have been granted freehold tenure for the first time. This was mainly a gesture, as most leases were for 999 years, but it answered a strong settler demand for recognition of their permanent stake in the country. Similarly, the Northern Rhodesian Government agreed in 1955 to transfer European agriculture to Federal Government control, and the Nyasaland Government, after repeated delays, has shown signs of being ready to follow suit. Meantime the Northern Rhodesian Government has appeared to concentrate propaganda and effort on obtaining European settlers for a new intensive 'peasant-farmer' scheme at Mkushi, while farms in the established white farming area at Abercorn lie vacant. Africans in the Protectorates are aware of the political pressures which have produced these policies and they see them as the thin end of a wedge.

We must also scrutinise more closely the modifications in urban segregation already mentioned. The changes in the Southern Rhodesian Land Apportionment Act were mostly made in 1954, in effect as a result of understandings reached between the European leaders and the British Government (which was largely to finance the University College) when the federal bargain was struck. These changes have not been popular among a wide section of the European electorate. Many of the new African township schemes, for example the Lilanda scheme in Lusaka and the Highfield extension in Salisbury, have been bitterly resisted. In the case of Highfield, nearby European residents demanded a 1,000-yard 'buffer zone' between themselves and the new estate, and the government compromised with a separating belt of trees and a chain-link fence. It is very uncertain whether a government remaining effectively responsible only to European voters and set free from any British control would make any further changes of principle in this field.

Colour bar in industry

When we come to the colour bar in employment, so fundamental to racial inequality, the official version of events turns out to be startlingly misleading. The new Industrial Conciliation

Act is officially presented as 'completely replacing the old one'¹ and since that Act underpinned the whole system by which Africans were excluded from skilled employment one might easily suppose that this system had been swept away. This was the more impressive to those who had watched the protracted efforts of Mr Todd in this direction being frustrated by the opposition of European trade unions and business leaders, who would agree to allow Africans into recognised trade unions only if the European unionists retained control of them, however many Africans a union might come to contain.² Yet when one turns to the new Act, one finds certain new clauses which were not there in Mr Todd's version of the Bill, and these clauses (46-48) provide that, while no one may be excluded from a union by reason of race or colour, he may be organised in a separate racial branch inside the union, and the union rules may provide for unequal voting rights in favour of 'skilled and minority interests', with votes of unequal values, and the government may order these rights to be altered further in favour of such interests (but not the other way round). In fact the change is all but purely nominal, for while it is theoretically possible that the European trade unionists might make common cause with African workers, the day when they allow them to fill the unions and wield power in them according to their numbers and bring about an abolition of job-reservation for whites is so far from being in sight that it cannot seriously enter into our calculations and the prospect of it is unlikely to cause a rush of African applications for trade-union membership under the new Act.

The 'advancement' scheme on the Copperbelt will ultimately affect only some 2% of the African labour force there but it is nonetheless a tangible gain. Unfortunately here the gain was seriously offset by the attitude shown by the mining companies and the government towards the status of the 'advanced' job-holders. A separate union, the Mines African Staff Association, had been formed and transfer to it was now made compulsory for the holders of many of these jobs. This union has severely restricted rights of strike action; its members are separated from

1. *Your Questions Answered: Is Partnership Succeeding?* (Federal High Commission, London 1959).

2. For the opposition of both European trade unions and businessmen see especially the *Southern Rhodesian Hansard* of 2, 9 and 18 May 1957.

the main body of African workers, which greatly reduces the strength of the much larger African Mine Workers Union, creaming off its more articulate and able members. The immediate result of this policy (officially justified in terms of the potential irresponsibility of the A.M.W.U.)¹ was a sharp rise of militancy in the latter, leading directly to a major strike in 1956. The government declared an emergency and removed all the principal leaders of the A.M.W.U. from office, in some cases banishing them to remote rural areas. For the time being the more complaisant leaders installed in their place by the government have been kept in office with government support. The real gainer was the African National Congress, which replaced the Union as a focus of militancy on a much wider plane.

The failure of government to break the industrial colour bar is especially striking in the railways. In spite of an acute shortage of Europeans for the work reserved for them, the European union was allowed to frustrate all attempts to train Africans in their place. Peasants from countries like Italy and Greece have been recruited to come and be trained for these jobs. The normal cost to the government of each European immigrant has been officially estimated at £2,500; in these cases air passages were paid too.

Colour bar in government and social services

In the government service, too, the liberalisation, while real, is very small. Sixteen non-Europeans, mainly Asians and coloured people held jobs in the top grade of the federal service in May 1959 and in spite of more promotion of Africans in the services of the two northern territories there has been a disconcerting tendency to create new grades for non-technical European administrators when the first Africans have been appointed to the grade they previously occupied. The prejudices to be overcome are real and the government's task is not easy. Yet elsewhere, for example in the Gold Coast under Sir Alan Burns's

1. European mine employees are divided between the Mines Officials and Salaried Staff Association and the European M.W.U. M.O.S.S.A. has restricted rights of strike action on the grounds that its members form a 'cadre' of semi-managerial and technical staff indispensable to the safety of the mines or too strategically placed to be left free to cause disruption. The jobs in the African 'advancement' scheme, however, having been formerly held by Europeans in the M.W.U. are generally not of this kind.

Governorship, it was tackled without hesitation or prevarication. The problems of the two countries are admittedly different but the most fundamental difference is one of goals. The official explanation for the non-promotion of Africans into non-technical senior posts in the Federal service is that no suitable ones are available. Yet the real question is surely whether and how fast Africans are being sought out and trained for the purpose; no initiatives in this direction are recorded. Meanwhile certain anomalies cast doubt on the adequacy of the official explanation. In the Federal service African telephone operators, for instance, get less than one-sixth of the pay of European operators. They work the same hours and official praise of them does not suggest that they handle less than one-sixth of the number of calls handled by Europeans.

Government policy, in short, has not been wholly rigid: room has been found at the top for a very few Africans with technical qualifications of the highest kind. What is missing is any attack by the government on the industrial colour bar and any serious effort to Africanise the civil service.

The Federal Government has repeatedly cited the changes discussed above as proof of a major attack on the colour bar.¹ Yet when they are set in their full context nothing emerges more clearly than the nominal character of such changes as have taken place in the fundamental things – land, segregation and jobs. There is no question of a major reduction in the colour bar having occurred. It is not surprising that the ordinary African, aware that for him the colour bar is as real as ever, has been disillusioned and embittered by the fact that such a claim is made.

Space will not allow of a similar analysis of all the changes in social services and amenities which were also listed above, but perhaps two examples should be quoted of how such selective and unanalysed lists may mislead in this sphere also.

One is discrimination in shops and hotels. It is true that treatment of Africans in shops has improved, notably in Northern Rhodesia, and that in the same territory Race Relations Advisory and Conciliation Committees have been set up by law. Yet the story of these changes is hardly encouraging for the

1. e.g. in *Why Not Be Fair?* published by the Federal High Commissioner in London 1959, and in the broadsheet *Is Partnership Succeeding?* in the series *Your Questions Answered*, also published by the High Commissioner.

future. The abolition of many of the small side-hatches through which Africans were commonly served, and of other similar indignities, was extracted from shopkeepers by direct action—the Congress boycott of 1955–6. The reaction of the government was to introduce legislation to curtail picketing, on which the success of the boycott depended (Penal Code [Amendment No. 2] Ordinance 1957). Its own approach to the question of discrimination was to appoint a committee, and it was on the basis of its report (which showed how widespread discrimination was) that the government introduced a Bill on which the above-mentioned Race Relations committees were based. But so strong was the opposition of the settlers' representatives on the Legislative Council that the committees emerged as ineffectual advisory bodies without substantial powers of any kind.

A second example may be taken from the field of education. The University College, opened in 1957, is a real source of hope for the future. An attempt was made after the 'emergency' in the spring of 1959 by two outside bodies to stifle the political freedom of its staff, by withholding annual grants, thus providing the most eloquent testimony to the value of this vigorous and truly multi-racial institution. (A serious blow at its independence and value was struck in December 1958 when an African scholar [the first] due for appointment to the staff married a [white] Canadian and for this reason the decision to appoint him was revoked). The chief weakness of the College is the small proportion of African students (36 out of a total of 168 in mid-1959) and this is due to the grave inadequacy of African secondary education. At this level government spending has increased, and at the lower primary levels the record compares favourably with African education in other territories. Unhappily very few Africans are taken beyond the third year of primary schooling.

To achieve its present results the Southern Rhodesian Government in 1956 doubled the African poll tax (from £1 to £2) in order to overcome opposition on the ground that too much was being paid for Africans out of the pocket of the European taxpayer. This was a severely inequitable measure, for Africans are now taxed £2 per annum however poor they are – perhaps earning a cash income of £10 or £20 a year or even less, while a married European with two children must, as we have seen, earn more than the average European wage before he pays any

income tax. The bulk of tax revenue comes from corporate taxes, which represent the earnings of Africans quite as much as of Europeans.

The real problem is, however, that European primary and secondary education is free and universal and stands in sharp contrast to the slim prospect of reaching the top grades which confronts the average African child. It would be retrograde to reduce the opportunities open to European children, though there is clearly a strong case for asking for a direct financial contribution from Europeans. The question is therefore whether a government more responsive to African wishes would not insist on much greater priority for African education, especially secondary education, than has so far been the case, and how the Southern Rhodesian Government's declared opposition to the principle of integration in schools is to be reconciled with its professed ideals. This question becomes particularly disturbing in view of the Native Education Act, 1959, which gives the government free discretion to close down any school for Africans, and to prescribe the curriculum for those which it permits to remain open.

The buffer class

The key to an understanding of the changes which have been made since federation is an ideological one. It is the concept of an African middle class. There are two aspects of this idea: (a) the African middle class is meant to come between the rest of the African population and the European population (of course it is the new *upper* class of the African population itself); (b) it is hoped that it will develop 'middle' or moderate political views, which means that it should be prepared to accept the existing balance of power between the races. It is perhaps best described as a buffer class to be interposed between European supremacy and the Africans' challenge to it.

There is surely nothing inherently wrong with the idea of an African middle class. And according to it, in Central Africa, emergent African leaders should be channelled into a home-owning African aristocracy, filling 'advanced' jobs, carrying special consolidated registration books instead of passes etc., and once there they should acquire material interests and values which would be bound up with the survival of the *status quo*. To

some extent the policy has probably succeeded; for example, a number of such 'middle class' Africans have accepted nomination by European parties for parliamentary seats and advocated official policies while strenuous efforts have been made to hamper, and ultimately to suppress, African leaders who have not accepted this role.

But the fact that a popular non-conformist leadership has already arisen and has already been suppressed is the real condemnation of the 'buffer class' policy as an interpretation of partnership. The Africa aspirations which this policy ignores are discussed in Chapter 15; the point to note here is that the superficial nature of the great majority of the officially-sponsored changes which have occurred is due to this idea that the greatest degree of change called for in the colour bar is one which makes limited concessions to a very small number of 'emergent' Africans, who will then support the Europeans against making fundamental concessions. Perhaps the simplest way of describing what is at fault is that, to be acceptable to the Europeans, the size of the new African middle class to be granted equal rights must be kept much smaller than the European population, while to have any hope of dissolving the tensions caused by discriminations, this class would need to form a considerable proportion of the total African population.

A final pattern

What is more, except for the influence of British public opinion the initiative for change on the part of governments in Central Africa seems to be largely exhausted (this is discussed in Chapter 11). This is partly due to the unpopularity of further change among the European electorate, but we should also note the extent to which the changes discussed above are, at least in their main outlines, regarded by the Central African governments as setting a final pattern. The same is true of the franchise changes discussed in the next chapter. This is logical enough, given the 'buffer class' interpretation of partnership; but as a formula for the future, it means the repression of all African demands for more. Official spokesmen sometimes speak as though the changes which have occurred are instalments of more to come; and indeed some new gateways and entrance fees for joining the 'African middle class' have still to be determined.

Further measures are promised in other fields, such as new 'non-racial' legislation on apprenticeship and workmen's compensation. But it seems fair to regard what has been done as providing the permanent pattern for the future in the most important things. It is a pattern the core of which is no less discriminatory than the one it replaces, and one very far from pointing towards racial reconciliation.

CHAPTER 10

'PARTNERSHIP' AS DEMOCRATISATION

For most people who had faith in the promise of 'partnership', it also meant that progressive extensions of democracy, towards some very much more democratic goal, would begin forthwith and it was clear in 1953 that unless this aspect of the partnership promise was truly honoured the Africans of the two Protectorates would regard their fears of what federation meant for them as fully confirmed. What, then, has actually happened?

The new electoral systems

The first change was made in the Nyasaland constitutional revision of 1955. The Federal Government was consulted and it was widely believed by members of all races in Nyasaland that the Federal Government's representations led the territorial government to abandon its initial support for the Africans' claim to parity of representation with the unofficial Europeans on the Legislative Council. The ratio adopted was 6 non-Africans to 5 Africans, plus an overall majority of officials. The new constitution had two main effects: (a) it deprived the Asian population (8,500 to the Europeans' 6,700 in 1956) of its one independent representative by introducing a 'common' non-African roll for the six non-African members, with such means, educational

and nationality qualifications that only 338 Asians, compared with 1,866 Europeans, qualified for a vote in the 1956 elections. In one constituency Asian voters numbered one-third of the total. Here only one European candidate stood, other aspirants fearing to incur hostility by splitting the European vote and risking the election of an Indian. (b) It made the Provincial Councils, filled predominantly with traditional authorities, into electoral colleges for the 5 African seats. Other measures taken by the government also made plain its hope of preventing by this means the return of militant Congressmen. It was nonetheless a communal electoral system and in the 1956 elections the European voters returned a majority of militantly pro-European members, while the Provincial Councils returned 5 militant Congressmen. These elections both reflected and accelerated a deterioration in race relations which was obvious to all observers and which was unquestionably due to the new European ambitions and the new African fears which federation had aroused.

The Southern Rhodesian Government next set up the Tredgold Commission to propose how the government might be placed and kept in the hands of 'civilised and responsible persons'. The Commission reported in 1956, condemned the existing 'common' roll as only nominally common, and recommended a graded scale of qualifications as follows:

- (a) £720 p.a. or £1,500 property plus literacy in English;
- (b) £480 p.a. or £1,000 property plus Standard VI or equivalent;
- (c) £300 p.a. or £500 property plus Form IV or equivalent.

All these were to be 'ordinary' qualifications: in addition,

(d) £180 p.a. plus literacy in English was to be a 'special' qualification intended to cater for Africans; the Commission recognised that the lowest of the 'ordinary' qualifications was set above the level reached, with very few exceptions, even by the ablest and best-paid Africans. But the votes of voters qualifying by the 'special' qualifications would never be allowed to count for more than one-third of the total cast in any constituency.

The Southern Rhodesian Government adopted these proposals in the Electoral Amendment Act of 1957 with certain important *reductions* in the weight given to Africans. The government party insisted on these. Instead of £180 plus literacy in English the 'special' qualification became *either* £240 plus literacy

in English *or* an income of £120 per annum for the past two years plus two years of *secondary* education. And instead of being limited to one-third of the total votes cast in any of the country's 30 constituencies, special voters may now number no more than one-sixth of the voters on the roll as a whole. Once this proportion is reached all further applicants for votes must possess the 'ordinary' qualifications.

It is convenient to consider the new federal franchise and the new Northern Rhodesian constitution, both laid down in 1958, in conjunction with the Southern Rhodesian changes.

The Federal Electoral Act 1958, in conjunction with the Constitution Amendment Act 1957, which enlarged the Federal Assembly from 35 to 59 members, set up a system of even greater complexity than the Southern Rhodesian, whose main system of franchise qualifications it adopted; adding chiefs and ministers of religion as automatic qualifiers for the 'ordinary' roll and slightly widening the 'special' qualification by making the alternatives *either* £150 per annum *or* £500 property plus literacy in English, *or* £120 per annum and two years' secondary education. But unlike the Southern Rhodesian system, *it set up two distinct rolls* (although not so called). Those qualifying on the 'ordinary' qualification vote (in one-member constituencies) for 44 'elected members' (out of the total Assembly of 59) *and* for 9 out of the remaining 15 other members; whereas those qualifying as 'special' voters can vote *only* for these other members. There are still further complications in that the proportion of the 5 of these others from each territory who are elected (as opposed to being appointed) varies; in summary:

- (a) 44 M. P.s are elected by 'ordinary' voters alone;
- (b) 9 M. P.s (5 in Southern Rhodesia, 2 in each of the Protectorates, and 8 of them African) are elected by 'ordinary' and 'special' voters together;
- (c) 4 (African) M. P.s are elected by African voters in the two Protectorates, however qualified, voting together with a small number of traditional authorities;
- (d) 2 M. P.s (Europeans representing African interests in Northern Rhodesia and Nyasaland) are appointed by their territorial governments.

There is also a provision of great complexity for permanently

reducing the number of so-called 'specially-elected' representatives of African interests in proportion as any Africans may be elected among any of the 44 M.P.s returned by 'ordinary' voters alone.

Finally, Northern Rhodesia was due for a constitutional revision in 1958. In opposition to the African members of the existing Legislative Council (who sought a system of the form 'African members = European unofficial members with officials holding the balance') and to the Congress (which sought a system of the form 'African members = European unofficials plus officials') the Government adopted a highly complex system of its own. It adopted the Federal franchise qualifications. In 12 'ordinary' constituencies (covering the main areas of European population) 'special' votes are not allowed to count for more than one quarter of the total cast. In 6 'special' constituencies (covering the rest of the Protectorate), all votes count equally. There are also two seats covering the main European areas, reserved for African members; and two seats covering the rest of the Protectorate, reserved for Europeans, in which 'special' votes may not count for more than one-quarter of the total. This scheme embodies several concessions to the settlers' leaders, in particular a major concession concerning the appointment of members of the Executive Council, two of whom (one senior and one junior minister) must be Africans; in making these appointments the Governor must accept the advice of the leader of the largest party among the elected members (inevitably, a European).

Similarly the balance of power in the Legislative Council was shifted in favour of the settlers by abandoning the previous formula, in which 8 officials plus 4 Africans were held in formal balance with 12 elected unofficials (Europeans) by 2 unofficials nominated to represent African interests. Now there are 14 seats for Europeans (2 formally and 12 in effect), as against 8 for Africans (2 formally and 6 in effect) plus 6 officials; but while the two nominated unofficials remain, they are no longer there to represent African interests, and one is African and the other European.

The meaning of the changes

These changes have raised the number of Africans on the various electoral registers, and the number of Africans in the four

legislatures of the Federation. There are now on the Federal electoral roll 6,584 Africans (of whom 1,707 are 'ordinary' and the rest 'special' voters; figures officially released in May 1959). On the Southern Rhodesian territorial roll, there were in January 1958, 1,696 Africans. On the Northern Rhodesian roll there were, in March 1959, 7,617 Africans (of whom 796 were 'ordinary' and the rest 'special' voters). 1959 also saw 12 Africans in the Federal Assembly, 9 in the Northern Rhodesian Legislative Council and 5 in the Legislative Council of Nyasaland (albeit 4 in jail and one in exile).

From one point of view, that of comparison with the abolition of African representation in the Union of South Africa, these figures undoubtedly enjoy some significance. But this is clearly no great recommendation for them. The only important question is whether they signify a hopeful first instalment of democracy in Central Africa, or not.

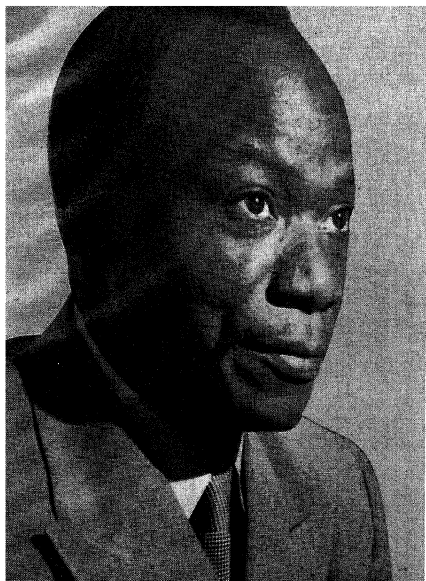
It is obvious that absolute figures of African M.P.s or voters are of little significance. In each of the four legislatures, genuine African representatives constitute a small minority; of the 12 African Federal M.P.s, eight owed their seats to European votes and correspondingly accepted the leadership of Sir Roy Welensky or Mr Winston Field (one was elected as a Dominion Party candidate). The totals of African voters constitute 7% of the Federal, 3% of the Southern Rhodesian and 25% of the Northern Rhodesian electorates respectively. But these figures grossly exaggerate the effective weight of the African vote in the Federation and in Northern Rhodesia because three-quarters of the Africans on the Federal roll have only got special votes, i.e. they can only vote for *two* of the Federal M.P.s in each of the two Protectorates, and for *five* in Southern Rhodesia; while in Northern Rhodesian territorial elections 90% of the African votes are, as we have seen, 'special' votes which are never allowed to count for more than one-quarter of the total cast in any one of 14 out of the 22 constituencies.

The truth is, then, first, that the African voting power which has been created is extremely small and that quotations of the absolute totals of voters only are wholly misleading and, second, that the limitations are imposed in ways so discriminatory as to forfeit all confidence among Africans in the sincerity of European intentions about democracy.

This becomes clearer when one examines the franchise qualifications of these extraordinary systems. They are, not to put too fine a point on it, blatantly rigged against participation by the ordinary African, and in favour of every European. The average European income is far higher than the highest income qualification for an 'ordinary' vote, and the average African *family's* income in towns is roughly half the lowest. Similarly Europeans are compelled by law to educate their children to what in practice becomes at least Form II (two years' secondary education), while, to take an example, in 1955 the number of Africans reaching Form IV in Southern Rhodesia was 70. Moreover even the 'special' qualifications are beyond the reach of the average African, even those in the towns, whose incomes are much larger than those of Africans as a whole. And as we have seen, those who do pass these qualifications either do not get a full vote, as in the federal system, where three-quarters of the seats are filled on 'ordinary' votes alone, or know that their numbers are not allowed to rise beyond a point far short of giving them any effective political power.

Faced with these facts, the outside observer must not make the mistake of supposing that they represent a wholesale fraud on the part of the European political leaders who have been responsible for them, and who have put them forward in the name of 'partnership'. To do this would be ungenerous and it would also miss the important point. These franchises, like the Europeans' approach to changes in the colour bar, fit logically into the same interpretation of 'partnership'; they are aimed to give a stringently restricted measure of political participation to an African middle class. A rough comparison would be a franchise in Britain open only to surtax-payers. The official view is that only this tiny minority of Africans is civilised and responsible, whereas all Europeans are. The Tredgold Commission painted a word-picture of the people it sought to enfranchise on its slightly wider scheme; they must

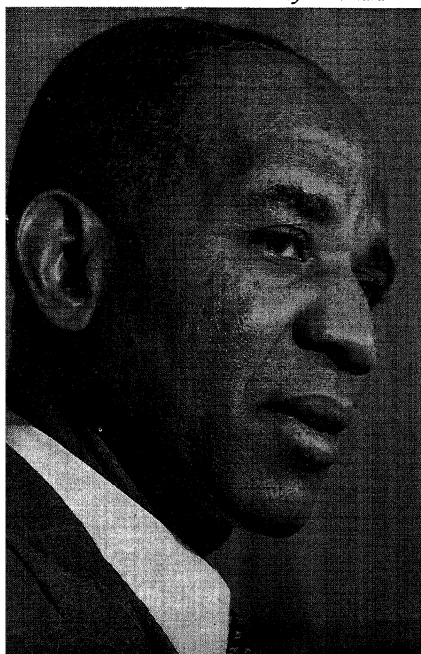
have acquired a certain standing, such as that of an agricultural supervisor, building overseer, clerk, interpreter, Minister of Religion, Chief, editor or journalist, medical orderly, building contractor, artisan or farmer (but only the most advanced representatives of these two occupations). The group does not include anyone with less than ten years' service in the Police, unless



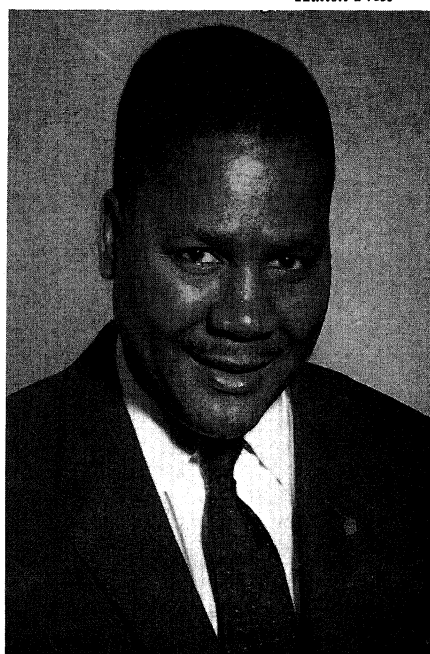
Cyril Bernard



Hulton Press

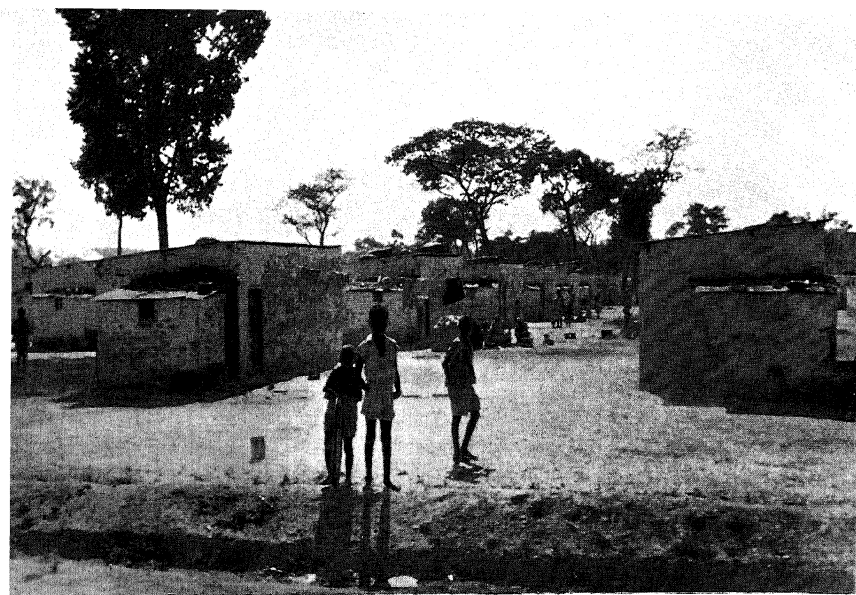


Jane Bown

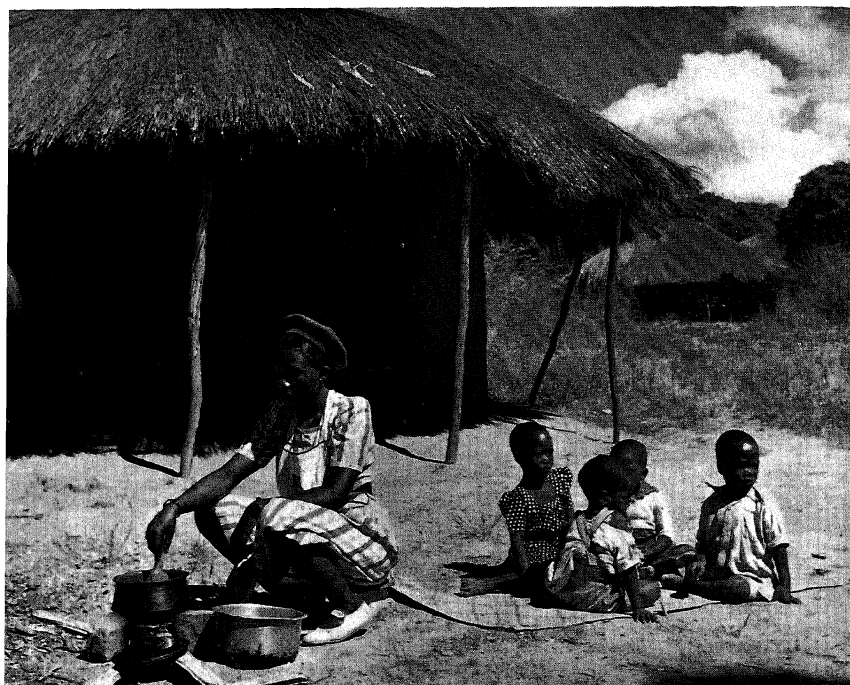


Africa Special Report

PLATE III *Top Left* Mr H. Nkumbula, President of the Northern Rhodesian African National Congress *top right* Mr K. Kaunda, President of the Zambia African National Congress, Northern Rhodesia *lower left* Dr H. K. Banda, President of the Nyasaland African Congress *lower right*, Mr J. Nkomo, President of Southern Rhodesian African National Congress.



Joan Wicken



Universities Mission

PLATE IV *Top* Location near Kitwe, Northern Rhodesia.
 Lower Village life in Kota Kota, Nyasaland.

he has been promoted to the rank of non-commissioned officer. A Native Department messenger would not qualify until his thirty-seventh year of service, or his eleventh year of service as a head messenger . . .

To repeat, it is essential to realise European leaders regard giving ‘second-class’ votes to this thin superstratum of elderly professionals and civil servants as safer than an equitable and bold extension of democracy. The scheme envisages, of course, that the African middle class will grow, but for the ‘foreseeable future’, which is, after all, the only part of the future which interests Africans, as well as Europeans, it is not expected to wield decisive power; especially over the increasingly powerful federal assembly, three-quarters of whose members are returned by ‘ordinary’ voters alone, among whom, the government freely admits, Africans are unlikely to number more than their present handful (about 1.5%) for a long time in the future. It was obvious, even before the outlawing of independent African political organisations in 1959, that only a total failure to enter into the consciousness of the ordinary African in Central Africa today could lead to this policy being regarded as ‘safe’. These are not ‘fancy franchises’, but foolhardy illusions. They are incapable of convincing Africans that the ideal of ‘equal rights for all civilised men’ is reflected in them, and few detached observers will be found to say that in this the Africans are wrong. Yet here too the pattern which has been laid down is intended to be final.

The destruction of the ‘safeguards’ and the 1957 constitutional concessions

The blow administered to ‘partnership’ hopes by the franchises is fundamental. Yet in the process of making them the Federal Government also rode roughshod over the main ‘safeguard’, the African Affairs Board, which had survived in the constitution, while the British Government, in effect, stood completely aside. Before this the Board had only once used its power to report a measure as discriminatory – the Defence (Regular Force) (African Members) Regulations of 1956, which made no provision for promoting Africans to commissioned rank. Assurances from the government in this case led to the objections being carried no further. But the Constitution Amendment Bill and the

Electoral Bill were 'reserved' for the Secretary of State. The Board objected on two main grounds: (a) that enlarging the Assembly diminished the value of the African special representation in it (and was, coming before the constitutional review conference, an unwarranted breach of the constitutional understandings of 1953); and (b) that the electoral arrangements made for the extra African representatives in the enlarged Assembly (whereby 'ordinary' voters also vote for them) meant that they would not be genuinely representative of Africans, but would be largely dependent on European votes. The British Government overrode these objections and sanctioned both measures. The Reverend Andrew Doig, the European member for African interests from Nyasaland, and a member of the Board, resigned from the Assembly on the grounds that the Board had now been demonstrated to be ineffective; that the changes which had been made were unwarranted and that as a result he could no longer give any effective representation to African interests. The *Central African Examiner* acknowledged that all semblance of independent power exercised by the Board was now at an end, and after the Federal election of November 1958, when control of the Board passed into the hands of United Federal Party M.P.s owing their seats to European votes, no one could challenge the verdict of a Federal M.P., Sir John Moffat, that it could no longer even be considered 'an impartial or independent body'.

The reason for the British Government's failure to uphold the Board was that it had, in effect, already promised Welensky not to. This undertaking had been given, at a meeting in London in April 1957, in order to give him 'something to take home' with which to repulse the electoral challenge presented by the opposition Dominion Party. It was necessary to demonstrate that the Federal Party was an effective champion of European interests against British controls and 'interference'.

Welensky made a concession concerning Protected Persons (all Africans in the two Protectorates are born Protected Persons and this status is prized for the protection it is felt to confer against settler domination). The concession was that they would not need to abandon this status to get a federal vote, for which a 'reasonable number' would be made eligible. The British Government in return agreed in principle to support whatever

Welensky's interpretation of this assurance might produce. Not only that. It also conceded that

- (a) the U. K. would only exercise the right conferred by the federal constitution to legislate for the Federation, at the Federal Government's request;
- (b) all civil services in the Federation, federal or territorial, would eventually be 'locally based' (i.e. not based in Britain);
- (c) the conference to review the constitution would be held in 1960 - the earliest possible date foreseen in the constitution;
- (d) its purpose would include agreeing on constitutional advances and considering a programme for the attainment of independence.

These concessions, and the extraordinary guarantee of support given for Welensky's franchise, could only be understood in terms of a British willingness to give virtually unreserved support to a European-controlled federal government, i.e. it chose to support it unreservedly in preference to

- (a) attempting to control it by diplomatic means (leading, if any serious difference of aim is allowed to arise, only to its replacement by a government less liberal and more intransigent); or
- (b) being prepared to enforce control on vital matters, if need be by force.

The destruction of the African Affairs Board's authority, and the clear intention to move rapidly towards full independence for the Federation without altering the existing balance of racial power within it, are in a line of least resistance for British Governments which became plain from the moment that federation was established. Is it perverse of the Africans in the Protectorates to conclude that there is no help save their own?

CHAPTER II

THE TREND OF POLITICS IN CENTRAL AFRICA

Many people whose hopes of 'partnership' have been destroyed by the unreal and rigid policies actually adopted in the Federation have fallen back on the explanation that it is a matter of *time*. Too much must not be expected too soon; meantime matters have at any rate not become worse (a position less tenable since February 1959). But this involves a crucial misunderstanding of the internal political forces which operate inside the Federation.

In 1953, Nyasaland appeared to have a legislature and government subject to effective control by a Governor responsible to the Colonial Secretary in Britain. Northern Rhodesia had a constitution theoretically balanced by the formula 'representatives of Africans plus officials outnumber representatives of settlers'; but the settlers enjoyed a large measure of influence on the Executive Council, and the officials have not hesitated to vote with the settler representatives against the African representatives on many important issues. The Southern Rhodesian Government was controlled by a 99% settler electorate; and the Federal Government, under the arrangements made for the first elections, became effectively responsible to the settlers of the three territories. Of the 35 M.P.s, only 7 (4 Africans and 3 Europeans, all from the Protectorates) effectively represented African views. Thus in the Federation and Southern Rhodesia the forces of settler politics have had a decisive influence and in Northern Rhodesia an increasingly important one. In this preponderance of settler power, the autonomy of Nyasaland's territorial government has also been severely qualified. The Federal Government's intervention in the constitutional revision of 1955 is only one example of this.

The forces of settler politics do not, unhappily, operate towards

a steadily broadening liberalism, but in precisely the reverse direction. The United Federal Party is the old United Party machine built up by Huggins since 1934 and the Dominion Party is the latest of a long line of opposition parties all of which have had the same programme of 'tougher' racial discrimination, bidding for the European voter's support on a call for greater independence from Britain and a free hand for the European to safeguard the future against the challenge from the Africans. There is no space to illustrate in detail the way this long-standing opposition challenge has been resolved in the past. But the pattern has always been the same, a series of rightward movements by the party in office towards the position adopted by the party in opposition. In the past this trend has been offset in two ways; first, by the hostility of English-speaking settlers towards the Afrikaner nationalists in the Union, with whom the opposition party in Rhodesia has been loosely identified because of its support by Afrikaner settlers in Rhodesia and second, by the struggle for, and the honeymoon period following, extensions by Britain of the scope of settler power (Responsible Government for Southern Rhodesia, 1923, and federation, 1953). But it has been ever-present, and it has dominated settler politics in practice between the periods of constitutional struggle with Britain, especially from the 1930s to the mid-1940s and again since 1956.

The events of 1953-9 must be appraised against a recognition of this 'built-in' pressure towards strengthening European supremacy. There was a honeymoon period for some 18 months, after the Confederate Party (the then opposition organisation) had been crushed at the polls by popular European support for the federal scheme, and while African political organisation in the two Protectorates was similarly weakened by defeat. This was the period when the Southern Rhodesian Government amended the Land Apportionment Act to allow African barristers to have chambers in town, etc. Settler protests were sporadic. Throughout 1955 a number of opposition politicians jockeyed for position, forming a number of new parties and finally coalescing in January 1956 to form the Dominion Party (D.P.), which soon began winning by-elections and gaining popular support.

The chief target of the D.P.'s attack was Garfield Todd, the

Prime Minister of Southern Rhodesia. He was in a strange position because as a result of the federal division of powers the Southern Rhodesian Government was left with relatively few functions and many of them concerned only Africans. Almost anything he did could be represented as 'pro-native' and 'ultra-liberal' and was subjected to fierce attack. At the same time Todd himself was a paternalistic liberal. He genuinely recognised that the only hope of racial peace lay in making substantial concessions to African aspirations. He had little sympathy for African nationalism, but he warmly espoused the idea of winning support among an 'African middle class' and he wanted to make that class a growing one.

Both the peculiar new role of the territorial government and Todd's own views brought him into conflict with the renewed trend of settler politics. By Christmas 1957 his fellow leaders of the United Rhodesia Party (just before its formal fusion with the Federal Party in the United Federal Party) had decided that his reputation for 'liberalism' would lose the next election. Personal differences also played a part, but a number of liberal acts or gestures – his effort to introduce multi-racial trade unions, his plan for African education, his raising of the African minimum wage and his campaign for support of the Tredgold Commission's franchise proposals – were the real liabilities which the party was anxious to liquidate. This record hardly amounted to a programme of extreme liberalism. But set against the D. P.'s call for drastically increased white immigration, permanent European political control ('for the foreseeable future'), African labour battalions, tougher insistence on social segregation, less 'white-collar' education for Africans, etc., Todd's record had one fatal flaw; it did not, as Huggins's programme from the 1930s to the mid-1940s had done, represent a wholesale shift of government policy towards the intensified racialism advocated by the opposition. It was the need for this which in a few months led to Todd's loss of office, and final expulsion from the party (his departure was formally voluntary, but in reality he was asked to leave). He had been attempting to swim against the tide, which flows only towards militant championship of European supremacy.

Todd was aware of this, and he had made several attempts to appear a 'tough' white leader too. For instance, he made

speeches in 1955 and 1956 in which he denounced the boycotts and strikes organised in Northern Rhodesia by the African Congress and Mine Workers' Union, and criticised the Federal Government for not insisting that the Colonial Office should take stronger measures against them. Consistently enough, too, in September 1956, when Africans in Salisbury proposed to boycott bus services, the boycott was banned under the Public Order Act; the Government refused to meet the boycott leaders and the episode ended in a riot, terminated by 200 police with batons and tear smoke. A week later, faced with a quite unconnected strike threat by African railway workers at Bulawayo, he declared a state of emergency, broke up a workers' meeting called to discuss the proposed strike (with tear smoke and batons) and arrested the main leaders.

But these actions were not enough to secure his reputation as a satisfactory settlers' leader (especially as the franchise controversy came later and overlaid the memory of these measures). He was replaced by Sir Edgar Whitehead. In the June 1958 territorial election against the U.F.P. and the D.P. on a programme of 'liberal realism', as his party has subsequently called it, Todd and all his 22 other candidates were swept from the field. Only about 3,000 white voters, some 9-10% of the total, were ready to support his policy. Even more significantly, the U.F.P. under Whitehead only won a majority of 4 seats (U.F.P. 17, D.P. 13) by the operation of the alternative vote, having fewer first preferences than the D.P., in spite of a strongly-renewed bid for settler support on a policy of fresh defences for white supremacy (especially pledges on stringent 'internal security' measures - since amply redeemed - and on an extended system of job reservation for Europeans).

Against this result, that of the Federal election of November 1958 might seem to be in marked contrast. Todd did not contest it. Once again the electorate was virtually all European (1,039 Africans out of 88,044 general voters; 692 Africans out of some 900 special voters). The results were: U.F.P. 44; D.P. 8; Constitution Party and Confederates 0; Independent with D.P. support, 1. The key to this result is, however, that the election was fought on the issue of which party would be best able to get independence for the Federation at the constitutional review in 1960. The D.P. leader, Mr Field, alienated press support by

promising to declare the Federation independent unilaterally if the British Government imposed its own constitutional solution for Northern Rhodesia (then under discussion) and by saying that he 'wouldn't bother too much' about the Federal Supreme Court as an obstacle to this.¹ The D.P. was also handicapped by its conspicuous lack of experienced negotiators.

In fact the election issue of independence and who is best able to achieve it stands in a long historical tradition. The winning party gets, in effect, a vote of confidence as the party best able to gain freedom for European-controlled governments to manage internal affairs according to the ideas common to most Europeans about the proper place of Africans in the state; and it is quite impossible to regard the 1958 result as indicating a settler reaction against the D.P.'s racial policies as such. During the summer of 1958 Welensky and other U.F.P. leaders had adopted an increasingly threatening public attitude towards the Congress movements in Central Africa, championed unwavering defence of 'European standards' and declared final as a settlement the rôle allotted to Africans in the constitutional system by the Constitution Amendment Act 1957 and the Electoral Act 1958.

One more election, the Northern Rhodesian territorial election of March 1959, should also be scrutinised. Here the issues were three. First, the aim of the U.F.P. to capture an overall majority of seats on the council and take 'a step in the direction of ridding the territory of Colonial Office rule' (the *Rhodesia Herald*); second, the D.P.'s opposition, which advocated a scheme for partition of the Federation (the Copperbelt and line of rail in Northern Rhodesia to be amalgamated with Southern Rhodesia and the rest to become African Protectorates under Greater Rhodesian tutelage; this scheme is described at p. 195); third, the attitude of the Africans towards the new electoral system. A latecomer to this election was a new Central African Party, formed by a fusion of Mr Todd's Southern Rhodesian following with liberal Europeans and some Africans in Northern Rhodesia.

1. Report in the *Central African Post* in October 1959: the Dominion Party amplified its views by stating that if an overwhelming majority of the Federation's citizens voted at a referendum for a unilateral declaration of independence, 'in the event of a declaration of independence being declared unconstitutional . . . the Dominion Party, as a Government, would take the necessary steps to validate the law'.

It advocated a liberal multi-racial society. But *Dissent*, a vigorous liberal journal founded in Salisbury in March 1959, commented: 'The facts are that in Northern Rhodesia a political party can only get African support either by opposing Federation or by stressing in its policy at every point an opposition to the encroachment and influence of the Federal over the Territorial Government'. The Central African Party did not go to such lengths; and the facts are equally that no party which did could get European support in Northern Rhodesia.

The U. F. P. captured 11 out of the 12 'ordinary' seats in which European votes predominate and the D. P. was heavily defeated. But the U. F. P. failed to capture the 16 seats necessary for a clear majority in the Legislative Council and the pattern of racial voting was as revealing and depressing in this election as in the ones already described. In the 2 seats reserved for Africans in the mainly European area of the country, the European votes elected the African candidates who accepted the U. F. P. ticket, bringing the U. F. P. total to 13. In the 2 seats reserved for Europeans in the mainly African area, African votes returned the European candidates of the Central African Party, and this party also gained a 'special' seat with an African candidate in 1 of the 6 'special' seats where there was a substantial minority of European voters.

The break-away Zambia African National Congress urged a complete African boycott of the election in order to prevent Africans being represented as favourable towards the new constitution. The Zambia leaders were arrested and banished to separate remote rural areas, where most of them were to remain, throughout 1959. On the other hand, the President of the Northern Rhodesian African National Congress stood and was elected for one 'special' seat; in all other areas the Congress merely encouraged Africans to get on the roll and to vote systematically *against* U. F. P. candidates, regardless of their opponents' affiliations, to prevent the U. F. P. winning a clear majority. In the twelfth 'ordinary' seat this tactic led to the victory of the D. P. (European) candidate by a margin of 5 votes, and elsewhere to the return of African Independents. Few results could have illustrated more sharply the failure of loaded constitutions of this sort to win any African confidence or to contribute towards racial conciliation. The Central African Party's

successes, especially in the one non-‘reserved’ seat, were the one bright feature of this election and showed that, given a *majority* of African voters, common ground could be found between them and the European minority. But the scope for such successes was hopelessly limited and what was chiefly revealed in other seats was the heightened cynicism of the Africans towards European intentions together with a degree of political sophistication which refutes the view that such sophistication exists only among Europeans.

These revelations need not have come as a surprise. Four main fears which federation aroused in Africans in Northern Rhodesia and Nyasaland were listed earlier. Two of them, the fear that effective power in Central Africa as a whole would be transferred to the settlers, dashing African hopes of advance towards self-government; and the fear that the ‘safeguards’ would prove illusory, have been undeniably confirmed. A third, that federation would turn into an independent European-controlled Dominion, may be confirmed unless the recent tragedy in Nyasaland induces a change of heart. These facts, together with the failure of the governments concerned to make any serious breach in the colour bar and the hardening of European attitudes towards the further aspirations of ordinary Africans, have thrown Africans back on their own resources of political action. The imposition of federation made the Africans of the Protectorates politically conscious; experience of it has been making them into nationalists.

The Congress movements in all three territories have grown extremely fast. The Northern Rhodesia African National Congress has perhaps grown fastest, learning from the success of its 1955 shop boycott, penetrating the African Mine Workers’ Union, registering 433 branches in 1958 and commanding the general support of the great bulk of the population. In 1958 there was a split. The former secretary, Kenneth Kaunda, broke away to form the Zambia African National Congress, on the general grounds that Congress President Nkumbula was insufficiently militant, and over the particular issue of co-operation in the Northern Rhodesian elections. It appeared from the available evidence that the Zambia movement had attracted

considerable support in areas outside the Copperbelt by the time it was banned in March 1959.

The Nyasaland Congress, too, split after its initial success in the territorial election of 1956. Here again the issue was, at bottom, the pressure by the younger leaders for more militant action and it took the form of a demand that Messrs Chirwa and Kumbikano, the African members of the Federal Assembly from Nyasaland, should resign as part of the campaign for secession of Nyasaland from the Federation. Chirwa was finally expelled from the Congress for refusing and the presidency was given to the veteran expatriate nationalist Dr Hastings Banda, who returned from his long medical career abroad and infused a new solidarity and militancy into the campaign during the last months of 1958.

In Southern Rhodesia the same 'initiative from below' was apparent in the formation of the African Youth League which, in 1957, with support from the two northern Congresses, brought about a revival of the languishing Southern Rhodesian African National Congress under Messrs Nkomo, Nyandoro and Chikerema.

These developments are of course part of a wider movement of rising African nationalism in Africa, which has been spreading southwards from East and West Africa, and northwards from the Union, with a speed and intensity which even close observers can scarcely grasp fully. But federation has made Central African nationalism peculiarly bitter and desperate. In the steady internal pressure within the movement for more militant and uncompromising action we can see a precise reflection of the parallel pressure towards militant European racialism which operates within settler politics. Moreover there is a clear interaction between these two forces. Federation meant a large increase in settler power and this touched off a new phase in African political organisation; this led to the shop boycotts and Copperbelt strike of 1955-6, the Salisbury bus boycott and railway strike threat of 1957, and lastly the Nyasaland demonstrations of 1958-9. To each of these, European-controlled governments have responded with declarations of emergency (in the two Rhodesias in 1956 and in Southern Rhodesia and Nyasaland in 1959), with prosecutions, removals from office, etc. and this has led to a further toughening of the African leadership.

To have this effect, government policy need not necessarily be forcible. The creaming off of the 'middle-class' African mine workers into the M.A.S.A. on the Copperbelt helped to make way for a new type of militant union leader in the A.M.W.U. and so contributed directly to the 1956 Copperbelt strike and 'emergency'. Prison sentences, banishments, raids, baton charges and the like accelerate the growth of irreconcilable African nationalism but they are not its prime cause. What makes its growth possible and inevitable is the fundamental refusal to accept the African character of these countries and the minority status of the Europeans in them. However, this refusal can in the long run only be maintained by using more and more fierce methods of enforcement and these in turn are producing the final tragic development of African nationalism which has already appeared in South Africa – African racialism.

CHAPTER 12

THE GROWTH OF POLICE POWERS AND THE 1959 EMERGENCIES

It is against this background of growing African assertion of desires and rights and the steady pressure of settler politics towards racial defensiveness that we must assess the last and most sinister of all the post-1953 developments, the expansion of 'police powers' and the demolition of the rule of law.

The legal apparatus of police control and government control of the instruments of force was very far-reaching before 1953. What has happened since federation is that the legal apparatus has been made virtually totalitarian.

The Federal Immigration Act, 1954 confers the widest powers on the Federal Government to ban immigrants. Under these powers specialists on African affairs like Basil Davidson and George Hauser, educationalists like Peter Kuenstler, trade unionists like A. E. Lewis, a former administrator, Cmdr Fox-Pitt, a British M. P. (Mr Stonehouse), and finally a missionary,

the Rev. Tom Colvin, resident in Nyasaland since before federation, have all been excluded. Not all cases are publicised but prominent examples like these are numerous enough. A particularly ruthless case was the deportation of Mr I. Civil, a teacher in Southern Rhodesia, after nearly three years residence, because of his rumoured intention of marrying an African woman. Exit from the country has also been refused. For example Messrs K. Kaunda, T. D. T. Banda and H. Nkumbula were refused passports to attend the Asian Socialist Conference in Bombay in 1956. Inside the Federation itself, personal freedom of movement for African leaders has been drastically curtailed; the Inter-territorial Movement of Persons Act and Ordinances (1954) permit each of the territories to exclude and deport people born in any of the other two territories. These laws have been used exclusively and comprehensively to confine the main Congress leaders in the Protectorates to their own territories and to prevent contact between them. In some cases men who have lived virtually all their lives in Southern Rhodesia have been summarily deported without warning, right of appeal or compensation. A new registration law (the Natives Registration and Identification Act 1957) has greatly increased government control of Africans in Southern Rhodesia over the age of 16, while by Ordinances passed in the two Protectorates, the governments have assumed wide powers to banish people to certain restricted areas if their behaviour is deemed undesirable on political grounds. These powers too have been used.

As for specific controls over specific political activities, a detailed list of measures which have been adopted since federation (over 30 laws and many more regulations) would be much too long to give here. Speaking generally, all meetings and processions in public places now require official permission which can be withheld or withdrawn at will by administrative or police officials. Not only has the wearing of uniforms been banned – a reasonable measure – but carrying flags, or other signs of virtually any kind of association with a political organisation, has also been made illegal. In Northern Rhodesia a Riot Damages Ordinance of 1957 imposed a collective levy on people declared by an investigating Commissioner to have been involved in the riot; similar legislation has since been passed by Nyasaland. Publications have been subjected to close censor-

ship; any or all publications of any person or group can be banned on grounds (which need not be disclosed) of 'public interest'. The list of pamphlets and gramophone records which have been banned since federation makes strange reading for a 'partnership' state. Every aspect of trade-union activity in Northern Rhodesia is closely controlled, from the purposes for which funds may be used to picketing. *All* societies there must (since 1957) be registered and provide full details of their officers, rules, expenditure, objects, etc. Southern Rhodesia has undoubtedly led the field in constructing this edifice of control over virtually all forms of political activity, but in the wide-felt dismay at the complete abandonment of the rule of law implied in the 1959 Unlawful Organisations Bill (banning all the Congresses) it has not been generally realised that something very close to one of its worst provisions was put into a Nyasaland Ordinance as early as 1953; under the Penal Code (Amendment) (No. 3) Ordinance of that year, there is a presumption of guilt if a person accused of belonging to an organisation declared to be unlawful is found in possession of any accounts, writings, documents, or insignia of it.¹ Nonetheless Southern Rhodesia's Peace Preservation Amendment Act 1953, and Subversive Activities Act 1950, supplemented by the Public Order Act 1955, have undoubtedly been in advance of comparable legislation in the Protectorates.

This is especially clear in the case of the now notorious Acts which 'rushed past the House on their way to the Statute Book' (*Dissent* 7 May 1959) on 28 April 1959, and which crossed the 't's' and dotted the 'i's' of the statutory destruction of the rule of law. The most important of these, the Unlawful Organisations and Preventive Detention Acts, are enacted for 5 years only and it must be for the reader to decide whether the Prime Minister's belief that it will then be 'utterly unnecessary' to re-enact them seems based on a true grasp of realities. There is indeed little that the former Act does not empower the government or its officers to do if in the government's opinion it is necessary for detecting or suppressing an organisation it deems unlawful, and anything they do under its provisions is not subject to any legal pro-

1. Thus the Devlin Commission were evidently startled to find that people in Nyasaland were being sent to prison under such a provision after the declaration of an emergency on 3 March 1959 (Cmd. 814, p. 130).

ceedings whatever. Five years' imprisonment may be imposed for, among other things, making 'any *sign* indicative that (a person) is *or was* . . . a member of or in any way associated with' any organisation which the government, on the widest possible grounds, declares unlawful.¹ All the African Congresses of Central and South Africa are listed. Membership of such an organisation is presumed unless the contrary is proved, if a person has merely been present at a meeting of it, or is found in possession of any papers or insignia 'of or relating to' it; and in a remarkable clause an unlawful organisation is deemed to continue 'so long as any of its members are associated together' in any of a list of activities worded so widely that, in the context of Southern Rhodesia, virtually all effective challenge to the régime is barred for them (for example, actions 'likely to promote feelings of ill-will or hostility . . . between different races'). This Act also vastly extends the police's powers of search, seizure and arrest. The Preventive Detention Act legalises the imprisonment without trial of anyone who 'appears to the Governor' to have been 'concerned in any of the activities which, or has been associated with or has supported directly or indirectly, any of the activities which led to the state of emergency' (declared in February 1959) or which might necessitate the declaration of another. Cases are reviewed by a special tribunal, meeting in secret, not bound by ordinary rules of evidence and following a procedure wholly at variance with that normally used for the protection of the innocent. The final decision rests with the Governor, who may accept or reject the tribunal's recommendations. Where he rejects them, the parliament alone is given the reason, in secret session. Further drastic extensions of the arbitrary power of the government to suppress political activity were made in a Public Order Amendment Act; and among other supplementary Acts – some were passed in Nyasaland too – perhaps one of the most illuminating was the Native Affairs Amendment Act of Southern Rhodesia which requires official permission for any meeting of more than 12 Africans in a reserve or native area, and makes it an offence punishable by imprisonment for an African to say or do anything which is 'likely to undermine the authority of any officer of the Southern Rhodesian or Federal Government or to bring such officer, or

1. Italics mine; C, T. L.

any such Government Department, into disrepute or contempt' or to show 'contemptuous behaviour' towards any Government officer. The interpretation placed upon these vague phrases throws light on the social system which this law is evidently meant to reinforce; would the reader, for example,

when in his office an employee of his walks in with a hat on his head and a cigarette dangling from his lips and demands certain things, would he consider that insolent or not?

This was how the question was put to one doubtful M.P. by another in the Southern Rhodesian Parliament (Mr Cary, *Hansard*, 24 March 1959). Or rather, would the reader agree that such behaviour in the office of a civil servant should be punishable by six months' jail? 'That is the protection we are seeking for a Native Commissioner who sits in his office,' said Mr Cary.

Perhaps the most immediately important effects of all these powers, apart from the fact that they circumscribe with severe penalties what in most free countries are regarded as essential areas of private freedom, are these:

- (a) They make many things illegal in wide terms that could be held to debar virtually any opposition to the government whatsoever – e.g. actions which 'are likely to engender feelings of hostility between sections of the community'.
- (b) They give enormously wide discretion to the government and to its officers, such as native commissioners or district officers – e.g. under the Inter-territorial Movement of Persons Laws a person may be deported if the Governor 'has reasonable grounds for believing' that he 'might engage' in activities likely to engender racial hostility.
- (c) *Ad hoc* discretion is granted, sometimes to quite junior authorities to *make* illegal, and not only in emergencies, the crucial forms of political activity which are not actually made illegal by law – meetings and processions.

These things do not amount to a 'police state' in the usual sense; the police are not a law to themselves.¹ But what has

1. The Devlin Commission's description of Nyasaland as 'no doubt only temporarily, a police state' specifically refers to conditions there in the aftermath of the emergency, i.e. since March 1959 (see Cmd. 814, p. 1).

happened is that statutory powers have been given to the government and police which are so wide as to *legalise* practically any arrest, any search, any imprisonment without trial; while all African political activity which is not strictly confined to the avenues of self-expression accorded by the European-designed franchise is rigorously curtailed.

Meanwhile, the means of force have been supplemented since federation in a manner equally striking. The Defence Act of 1955 laid down peace-time training for all *non-African* inhabitants. Similarly the Rhodesia and Nyasaland Cadet Corps Act 1955 made military training compulsory for all *non-African* schoolboys. The field training given to the European conscript troops is much concerned with internal security operations. It included an air exercise in the autumn of 1958 for 500 white conscripts against 'bandits' in Nyasaland. This operation was acknowledged by the *Central African Examiner* to be extremely provocative.

Meanwhile both the Rhodesias have tightened government control of firearms and ammunition in non-European possession (Northern Rhodesian Arms and Ammunition [Amendment] Ordinance 1953 and Southern Rhodesian Firearms Act 1956). There have also been striking changes in the size and organisation of the police forces. To take Nyasaland as an example, the police force was increased by 70% between 1953 and 1957 (compared with a population increase of 7%);¹ in all three territories these enlarged forces have been trained and reorganised as essentially mobile forces capable of para-military operations, with greater emphasis on 'special branch' work. In Southern Rhodesia a large European police reserve (over 2,000 in 1956) has been recruited and trained for 'riot duties', while in country districts farmers are reported to have been encouraged to clear emergency airstrips on their land and paint aerial identification marks on the roofs of their out-buildings. Private sales of arms to Europeans, like those of metal grilles for ground-floor windows, have risen. During the early months of 1959 a run on gun-shops was reported.

Governments have a clear right and duty to provide for the

1. The ratio of police to population was still much lower than that in Southern Rhodesia when the emergency was declared in March 1959 (1-1,300 as against 1-600). Nonetheless, Nyasaland's crime statistics compared favourably with those of neighbouring territories before 1953.

security of their populations, but two questions must be asked. First, why was this extraordinary accumulation of legal and physical powers, following so closely on federation, thought to be necessary? It has been directed, beyond doubt and on the whole frankly, against the activity of African political organisations. What was it about the policy of the government which led it to anticipate African reactions of a kind which it would be able to repress only by such means? And, second, can a system of government which requires this apparatus for its maintenance continue to command the support of Britain, as trustee for the Protectorates?

The significance of 1959

The wave of violence and imprisonments which occurred throughout the Federation early in 1959 cannot be left out of this survey, although the issues at stake, and the main argument of this book, are not really affected by whatever interpretation may be put on it. The view of the Nyasaland and other Central African governments is that the entire crisis consisted in agitation by, and the subsequent detention of a few unrepresentative fanatics whose cause is not popular and will not be heard more of. This is not evidence that the Federation, and the Federal Government and its policies, enjoy popular support. The suppression of African organisations has gone so far that there is now no acceptable evidence of what popular opinion is. If this official interpretation of events were well-founded, the important issue would surely still be whether Britain ought to support an authoritarian régime of this kind and whether its social and political policies are justifiable in themselves.

Nonetheless, there is much in the pattern of these events to cast doubt on the official interpretation, as the report of the Devlin Commission makes clear.¹ The trouble began with Dr Banda's return to Nyasaland in July 1958, and the reorganisation of the Nyasaland African Congress. In its newly militant state, a number of disturbances occurred, beginning with Dr Banda's arrival itself and almost invariably taking the form of meetings or processions which were illegal (because laws passed in that year require permission to be given for meetings and proces-

1. *Report of the Nyasaland Commission of Inquiry* (Cmd. 814): H.M.S.O. 1959.

sions, and this was mostly either not asked for or, in a few cases, denied); they were then forcibly dispersed by the police. In January and February 1959 preliminary talks were in progress between various racial representatives and the government on a new revision of the territorial constitution. The main demand of the Congress was for an African majority on the Legislative Council. In February, organised and technically illegal meetings became widespread. On 20 February, at the request of the Governor of Nyasaland, regular Federal troops were flown in from Southern Rhodesia, and on the same day for the first time police fired into a rioting crowd on the airfield at Fort Hill, in the north of the country, wounding people. The situation now took a sharp turn for the worse and, after a week during which control of the northern province of Nyasaland passed out of the government's hands altogether (the handful of administrators and settlers were withdrawn), two Africans in a crowd at Lilongwe were shot dead.

The same day, however, saw a turn of events which placed matters in a fresh light. The Southern Rhodesian Government declared a state of emergency in the middle of the night and within 24 hours, after a 'dawn swoop', had imprisoned 435 people, a figure which subsequently grew to 500. 6,000 European territorial forces in Southern Rhodesia were meantime mobilised and substantial numbers were flown to Nyasaland. On 3 March the Nyasaland Government itself finally declared an emergency and began the wholesale detention of Africans alleged to be leaders or members of Congress. Up to this point, in spite of the breakdown of authority in the north, and widespread clashes between police or troops and African crowds, few fatalities had occurred. But there now occurred widespread collisions between government forces and crowds gathered in reaction to the arrests, and in these and other incidents the death-roll rose to 30 by 5 March, climbing to a final total of 51 by the time order was restored at the end of the month. By this time 600 Africans were reported detained. The total of arrests subsequently rose to over 1,300; 539 were still detained and 134 had been convicted by mid-August 1959. In Southern Rhodesia only 101 people were finally kept in custody under the Preventive Detention Act, which placed on a permanent footing the powers taken for the duration of the 'emergency', which was declared at an end

in May. A number of the arrests in Nyasaland were carried out brutally (the Devlin Commission recorded seven such cases in detail)¹ and, in subsequent operations designed to break up Congress, troops were used 'to cow the population in troublesome areas' by employing a good deal of physical violence on villagers rounded up for interrogation.²

This account has been kept deliberately brief and schematic since the full report of the Devlin Commission is readily available. Yet certain features even of such a bare factual record raise fundamental questions. In Nyasaland at any rate, the popular basis of the demonstrations against the government is not open to question. Politicians, chiefs and peasants in the crowds with their sticks and stones were, in the opinion of the Devlin Commission and of virtually all observers present during the emergency, united against federation and in support of the Congress.³ It was not a movement confined to the ignorant; 34 out of the territory's 35 African graduates were imprisoned. Nor was it the movement of an educated few; those in jail are local leaders from every station of African life, and those who died were mostly obscure villagers.

The psychological impact of what happened has been incalculably great. The arrests and deaths occurred almost everywhere. *The Observer* correspondent Anthony Sampson wrote on 12 April how everyone he met seemed to have a relative or friend killed or jailed. In Chapter 14 Guy Clutton-Brock describes the impact of the emergency in Southern Rhodesia. From Nyasaland, perhaps one of the best examples of uninvited and uncensored comment came from a Catholic missionary who wrote on 3 March, the day the arrests began:

As I was writing there exploded a terrible din over our heads. Five Vampire jetplanes came very low, I should say between 200 and 500 feet. Our boys [servants] went out and recoiled against the walls as they came. Somebody said 'Afuna kutiopsa', 'they want to frighten us.' 'They', of course, mean the Azungu, the Europeans. It was half-past ten. They came back a little after 11.0 p.m., only two this time.

Dr Banda was immediately acknowledged by most Africans as

1. Cmd. 814, paras 187-9 and 191-6.

2. Cmd. 814, paras 275-6.

3. See especially Cmd. 814, paras 40 and 43.

the national leader. For the man in the street, and the man in the village, it is Dr Banda, even if they are not Congress members. Official reports and newspapers might say the contrary. Whether sincerely or not, they are not accurate. Even in our Catholic villages, where Congress usually has less influence than in other villages, Dr Banda is acknowledged as leader of the Nyasaland people. Minimising his influence over the people is not in keeping with the facts.

Congress people were rounded up at 2.0 a.m. this morning (3 March). There are Catholics among them. 'This is the worst blunder they could have made,' a colleague said to me. The prison has never been so full of prisoners. All Congress officials (rather than people) were arrested by Europeans, not Africans!

The emergency regulations came into force at 12 last night, after the government had denied a few times that it was contemplating any such action. Speaking about the display of strength, my colleague said people were lying flat on the ground, trembling with fear.

... To say that the fears of the Africans are groundless means one of two things: either those who say it are sincere and then they have no contact with Africans, or Africans have never trusted them enough to confide in them, which is unfortunately the case for most government officials nowadays. Or again it means a deliberate lie for propaganda's sake.

... the publicity that the disorders have received in England is taken by Africans as a sign that not everything is lost yet. They feel that when and if the status of Dominion is granted to Central Africa they will not have a chance left. The flooding of Nyasaland by Federal troops have (*sic*) confirmed them in their worst fears. The rounding up in the middle of the night of all their leaders reminds them of things that are common happenings in South Africa. (Published in the *Catholic Herald*, 13 March 1959.)

It must be remembered that no European was killed throughout these events although about half a dozen were injured, some of them quite seriously. Central Africa today is nothing if not the scene of a struggle between ideas and it is illusory to suppose that the violence which Africans have experienced in the stamping-out of the Congress organisation and the imprisonment of their leaders has done anything but promote bitter new racial feeling among them.

Finally, while the Devlin Commission found that the Congress in Nyasaland was at length undoubtedly turning towards

violence to escape from the impotence imposed on it by the laws, there is equally no question about the aims of the Nyasaland Government in suppressing it, of the Southern Rhodesian Government in suppressing all the Congresses of Central Africa and of the Northern Rhodesian Government in suppressing the Zambia Congress in Northern Rhodesia.¹ Their activities are regarded as inherently subversive; they are regarded as bodies 'of a new and dangerous nature inconsistent with peace, order and tranquillity' (in the words of the Unlawful Organisations Act). The Congress leaders are 'going to remain in prison for as long as the Government considers their release would threaten the peace of the country'; meantime people have been exhorted to write anonymously to the government telling of anyone they know who is a member of Congress and who has not been arrested (*Nyasaland Information Bulletin*, 6 May 1959). In Nyasaland, people have been imprisoned for periods up to two years for being still in possession of Congress membership cards issued before the emergency, when Congress was still legal (Cmd. 814, para 259).

We should recognise that these measures are likely to produce a sort of peace for some time to come. The price of resisting repression of independent agitation against the régime has been made too high for the ordinary man to pay. The governments of Central Africa have chosen the course of totalitarian rule. Their belief is that the majority of the African population will not mind because they are unaffected by the ideas which are being suppressed. *If their belief is false*, where can this policy lead except to greater and permanent repression? And yet how many people outside the Central African governments really think that this belief is true? It is doubtful if a single régime of oppression was ever founded except in the name of this belief.

The trouble is, however, rooted in the whole philosophy of government in Central Africa since federation, not in the immediate background of the emergency.

The true philosophy of government has not been the idea of partnership as the progressive dismantling of the major features of the colour bar and the progressive and substantial democratisation of government, but an idea based, in its essentials, on the continuation for the 'foreseeable' future of the main features

1. See p. 123.

of the existing society, and the retention of European political control. Most Europeans believe that there are good reasons to justify this policy; yet it involves a basic failure to cater for the emotions and aspirations of ordinary Africans, commonly expressed by the projection of responsibility for all opposition on to 'agitators'. This true philosophy of federation was expressed by the Federal Government in four resolutions (*Federal Hansard*, 1 July 1958):

- (1) The objective of policy in the Federation is that the different races comprising its population while preserving their identity should work together in partnership and co-operation . . .
- (2) The main obstacles to the attainment of this objective consist in:
(a) the wide gap between European and African cultural, educational and economic standards, and (b) the propagation of misguided African nationalism by certain so-called African leaders;
- (3) the removal of these obstacles entails a political system under which there are reasonable safeguards to ensure that political power is vested in the hands of civilised and responsible citizens of all races;
- (4) . . . the Citizenship Act 1957, the Constitution Amendment Act 1957 and the Electoral Act 1958 together form a basis on which this political system can be successfully established.

The tragedy of Nyasaland represents the bankruptcy of this philosophy; but the electoral imperatives of settler politics compel European leaders to adhere to it with growing rigidity, building up the means of force to perpetuate a social and political system which Africans have repudiated.

PART FIVE

The Impact of Federation on Africans

CHAPTER 13

THE SOCIAL BACKGROUND

The official view of the remarkably solid African opposition to federation remains what it was in 1952-3. It is said to be due to ignorance of the issues involved and of the benefits which Africans are or will be receiving from federation. In 1952-3 the whole ferment of discussion in town and village was dismissed as 'federation fever'. The development of African political consciousness was admitted, but then as now manifestations of African opposition were attributed solely to the agitation of Congress organisers, who were said to lack any real popular support.

This view is wholly wrong. It arises from a series of illusions based on ignorance and prejudice about the nature of African life and experience, and above all from the idea that there are two different sorts of Africans, 'town' Africans and 'reserve' Africans. The 'reserve' Africans are the majority and are supposed to be politically ignorant and apathetic, led in the countryside by tribal chiefs who are essentially conservative, hostile to the leadership of Congress and 'pro-government'. The division of Africans into many different tribes is thought of as a peculiar African institution which seals off the 'reserve' Africans from national political issues and which so divides the 'town' Africans that they are really more hostile to one another than to the Europeans. It is thought that because of tribalism African support for the Congress and the trade unions is really only superficial.

The fundamental error in all these views is the categorical

division made between African town and country life. In fact African urban and rural experiences are so interdependent that they really form a single whole, and it is out of this common stock of experience that the united African opposition to federation has grown. Once this is grasped, the united opposition of chiefs, village elders, political organisers, and mineworkers becomes comprehensible. With the publication of the *Draft Federal Scheme*¹ in 1952, Africans as a whole finally became fully conscious of themselves as a single political class in opposition to the Europeans. This was new. But the different strands of opposition which were thus drawn together have much deeper common roots.

Federation and the Congress in Northern Rhodesia

Originally Africans were not opposed to the idea of federation; what they wanted was effective representation in the new political structure. But as the actual proposals were read and debated, opposition began to develop. After the African boycott of the Lancaster House Conference in April 1952, the Africans continued to express their opposition and demonstrated their dislike of the Federation scheme. In August of that year a mass rally organised by the African National Congress in Lusaka was attended by senior chiefs, members of the African Representative Council, trade-union leaders, and other figures prominent in African political life. The Congress appeal for a general strike and non-co-operation met with little response but this meeting was nonetheless of the utmost importance. It brought together the leadership of the three main economic, social, and political African organisations: the tribesmen under their chiefs, the industrial workers under their trade-union leaders, and the white-collar and professional classes in their various associations. These three groups often have different objectives, but the federation issue forced them together under the leadership of Congress, and turned it into a national political movement.

Until this time Congress was largely an urban movement representing educated African opinion. It originated in a previous body known as the Federation of Welfare Societies.

1. Cmd. 8573.

These Societies were an early feature of urban life in Northern Rhodesia and originally had no political aims but they were often consulted by the authorities and they soon came into conflict with the official Urban Advisory Councils. Leadership of the Welfare Societies was drawn from the most energetic and intelligent of the educated Africans in the towns, and they inevitably turned from welfare to politics. The various Welfare Societies federated in 1946, but two years later decided to disband and were re-constituted as the Northern Rhodesia Congress. After the publication of the *Report of the Officials Conference on Closer Association* in 1951 this Congress became the present Northern Rhodesia African National Congress. Its primary aim was to organise African opinion against federation, to collect funds to send delegates to England to express their opposition there and to bring all Africans into the struggle, including the tribesmen and their chiefs. Congress held various national conferences and meetings, and in 1951 set up a Supreme Action Council of nine members, with five places reserved for delegates from the African Trade Union Congress.¹ Thus it was the 'intelligentsia' of the towns who originated and organised the Congress and brought industrial workers and tribesmen together for joint political action.

This was no simple matter and Congress faced immense difficulties, for quite apart from official disapproval and opposition, tribal divisions ran right through the various African organisations. Even within the trade unions election for office often followed tribal lines. Tribalism is undoubtedly an active force dividing Africans within essentially industrial and urban organisations, and operates even within the Congress itself.

Tribalism and the chiefs in the countryside

But to set urban tribalism in perspective we must first understand tribalism as it exists nowadays in the countryside.

Many Europeans feel that the persistence of tribal loyalties is anomalous in a modern state, and regard it as evidence of the backwardness of Africans, a sign of their present political incapacity. This idea underlies repeated assertions that ignorant tribesmen, innocent of any real knowledge of democracy and the

1. A. L. Epstein: *Politics in an Urban African Community*: Manchester University Press, 1958.

modern world, would abuse political rights and would be liable to follow any demagogue capable of playing on their naivety. Some Europeans consider that Africans are best suited to the 'natural' conditions of life in the bush, following their own customs, and are happiest when least contaminated by civilisation. This notion is harmless when it only leads people of a romantic disposition to appeal for preservation of the picturesque. It is more dangerous when it is used by others as a reason for denying the possibility of African advancement, and as a justification for policies of *apartheid*.

Tribal Africans are no longer the naked savages of popular European imagination. Few Europeans in Central Africa have any direct dealings with tribes in the reserves, and most people who claim to 'know the native' usually see Africans through a mist of prejudice. 'Africans, until they are very much advanced, are all liars.'¹

The cash economy and European administration long ago transformed the conditions of tribal life. Nowadays Africans can no longer live solely on the resources provided by their immediate environment. They need money for clothes, meat, tools, pots and pans, school fees, and innumerable other items now commonplace in their daily lives, quite apart from such 'luxuries' as bicycles and radios and sewing-machines. They are rapidly changing over from wattle-and-daub huts to brick houses, with European-style furniture. And like all of us they need money to pay taxes and to take out licences of all kinds.

In addition to these changes in the material conditions and standards of living in tribal societies brought about by the money economy and now generally accepted, the old political structures too have been considerably modified, mainly through the system of Indirect Rule. The British introduced an authority the power of which over the chiefs and traditional rulers was apparently unassailable; for a long time now the British have been the real masters, a fact of which both chiefs and people are well aware. Chiefs are no longer tyrants with powers of life and death and rights to slaves and tribute labour, but local leaders in a vastly enlarged political system. The chiefs still preside over Native Courts, but these operate within the British system of justice, and

1. Statement by Lord Malvern, former Prime Minister of the Federal Government: *Hansard*: 24 March 1959, c. 254.

a man can appeal against their decisions to higher courts. That tribes as social units have survived at all is largely due to British recognition of the position of chief. The British did not attempt to bypass the chief or create a direct administrative system of their own, although they certainly altered a great deal of the traditional political and administrative systems of the tribes. In effect the tribe became a minor unit of administration in a modern state; hence the observation that the chief is now 'the only member of the Administration who never goes home to Britain on leave'. This situation has not arisen through any professed policy of preserving tribal societies, but because the aims of the Administration were essentially conservative, concerned with preserving order as cheaply as possible. The chiefs occupied the strongest positions in the tribal societies and were the obvious channel through which to work.¹

But the chief is much more than a junior officer in the British administration. His people regard him as the traditional guardian of such rights as are left to them, and the main spokesman for their interests. Accordingly, when federation opened up a much wider field of political activity, the people demanded that their chiefs should represent them there.

The importance of the chiefs as political representatives mainly lies in their relation to tribal land rights. Whatever other changes the British made within the reserves, they did not usually interfere with the traditional systems of distributing land. In most traditional systems the chief played a vital role, for all land rights sprang from the chief, and he guaranteed men the right to the use of land in return for deference and allegiance. The British did not question the chief's position as 'owner of the land', so he retained his dominant position in this all-important sphere, and with it an unquestioned authority over his people.

The chief does not maintain his hold on the people through the backing of the British or through a sentimental attachment, but because he shares with his people a very real economic and social interest in their common land. The chief expresses tribal solidarity in opposition to the Administration, and not in co-operation with it. The chief is the only representative the people have; at present there is no really democratic system of election

1. J. A. Barnes: *Politics in a Changing Society*: Oxford University Press, 1954.

in the reserves in Northern Rhodesia. Although councillors are selected from among the people to sit with the chiefs on the Native Authorities – the official unit of African local government – their appointments are subject to the control of the Administration. Many councillors are former clerks and employees of the Administration. The people tend to regard the Native Authority as an institution imposed by the British, a direct agent of British rule. While the Native Authorities are required to accept responsibility for the regulations they issue and to enforce these when necessary, the people do not regard them as free agents. Rightly or wrongly, the Native Authority regulations are regarded as emanating from the British and the people distinguish between the loyalty they bear to the chief and the obedience they give to the Native Authority. Should a conflict of authority arise between chief and councillors, they tend to obey the chief. In fact he operates at the intersection of two different systems of interests and values, and if he is to retain his post (for the Administration has the power to dismiss him) he must find some compromise policy acceptable to both sides.

This delicate poise of the chief's position between his people and the Administration was disturbed by his new role as tribal representative in the wider political field that developed with the federation proposals. This new role of the chief was quite incompatible with his function as an agent of the Administration, for now he was taking direct political action against the policy of his administrative superiors. From the time of the Lusaka Conference onwards, the chiefs explicitly supported the political opposition generated by the African National Congress and the African industrial leaders. The actual behaviour of individual chiefs varied from open defiance of regulations to the issue of statements of support. Some went to London as delegates of protest. But whether their support was open or covert, the majority of the chiefs were forced to side with the expressed opposition of their peoples to federation. Primarily the people feared that federation, if imposed, would deprive them of their land. The chiefs symbolised their traditional land rights: consequently the people looked to their chiefs for leadership in defence of their common interests.

Why opposition is based on fears about land

Each man under a tribal system has the right to the use of some land, however poor and scanty, on which he can grow crops and build a house. In addition he has rights of access to common pasturage and fishing waters, as well as a share of the products of the uncultivated bush. The high value Africans attach to these rights, in spite of the declining yields provided by overcrowded land, helps to explain both the suspicion with which they regard the agricultural improvements introduced by the Administration and the opposition they showed to federation. To the tribesmen, agricultural regulations symbolised the gradual encroachment of Europeans on their land, and federation appeared to threaten their actual continuing possession of it.

The security felt by Africans when living in the reserves, in contrast to the insecurity they feel when living in towns, may not be entirely a matter of economics.¹ The constant presence of kinsfolk and the familiar tribal environment may satisfy psychological needs. This point was made in the Dow Report.

The creation of new forms of urban security whether by the provision of pensions for long service, or in other ways, may not be sufficient in themselves to persuade the Africans to abandon whatever traditional interest he may possess in tribal areas. Even if we could equate the alternative securities in actuarial terms, which of course is impossible, the comparison would not necessarily exercise its proper influence on the African mind, for the one security appears to him a certainty whereas the other is both novel and conditional.

While nostalgia admittedly causes some Africans to return very quickly to the reserves, the evidence is strong that many Africans leave the towns because of the 'conditional' character of their situation there. If Africans ever achieve the security provided by better wages, adequate housing, social insurance, pensions and political responsibility, this would undoubtedly go far to overcome nostalgic feelings for the reserves. Until this happens, behind all the vicissitudes of life in the towns there lies the ultimate asylum of the land; and a man's land rights depend implicitly on his continued membership of a tribe because tribal

1. Dow Report, 1955: *East Africa Royal Commission 1953-1955 Report*, p. 154; H.M.S.O., 1955. Also, J. C. Mitchell: 'The Causes of Labour Migration': *Bulletin*, Inter-African Labour Institute, Vol. VI, No. 1, 1959.

membership remains the only certain means of gaining access to land, which within the tribal areas cannot be bought and sold.¹

It is true that many African fears about the security of their land rights appear so far to have been groundless. Since federation, land in the Protectorates has not been alienated from the Africans on any considerable scale.² Indeed, in Nyasaland the government has bought some European-owned land to be used for African resettlement. Yet in Southern Rhodesia eviction from tribal lands has continued. Nevertheless, at the time of the federal proposals African fears had a substantial basis. The history of land alienation in the three territories was not of a nature to bolster African confidence in the future.³ Much of the land in the Protectorates is reserved for Africans, originally through treaties with the chiefs and subsequently through government ordinances, but the Africans are well aware that the Europeans are capable of taking land whenever they consider they need it. For instance, when copper deposits worth mining were found in the territory of the Lamba people, they were at once deprived of their land, the site of the present Copperbelt. One Lamba chieftaincy was reduced from 2,200 square miles to 360, and the Lamba themselves removed from the new mining areas.⁴ In other places, land was laid aside for the use of European settlers, and even when they did not take it up, as in the Abercorn area of Northern Rhodesia, where some settlers abandoned farming because of the high cost of transporting cash crops to distant markets, the land was not returned to the Africans, even though in this area population pressure had led to land degradation in the reserves and the introduction of control measures over African cultivation. Land has always been alienated on the most considerable scale where European im-

1. M. Gluckman: *Essays on Lozi Land and Royal Property* (Rhodes-Livingstone Papers No. 10): Oxford University Press, Cape Town, 1943.

2. The clearance of the Kariba valley to make way for the artificial lake may be regarded as an economic necessity. The fate of Native Reserve and Trust Land on the Northern Rhodesian shores of the lake, however, seems also uncertain. Control over it has been transferred from the Colonial Secretary to the Governor.

3. L. H. Gann: *The Birth of a Plural Society*: Manchester University Press, 1958.

4. W. Allan: *Studies in African Land Usage in Northern Rhodesia* (Rhodes-Livingstone Papers No. 15): Oxford University Press, Cape Town, 1949.

migration was greatest, as in Southern Rhodesia. There the Land Apportionment Act alienated considerable tracts of land from Africans, so that today only 50,000 square miles are set aside for the use and occupation of 2,630,000 Africans, against 75,000 square miles for some 215,000 Europeans. Nor can the history of land alienation in the Union of South Africa be ignored in this context, for there only eleven per cent of the territory is now in the hands of Africans, a situation well-known to the peoples of Central Africa, largely through the reports brought back by migrant workers. Since federation, fears concerning the land have been kept alive by such measures as the decision taken in 1955 by the Northern Rhodesia Government to transfer responsibility for European agriculture to the Federal Government, a measure also accepted in principle by the Nyasaland Government but not yet implemented.

If African opposition to the federal proposals in 1952 is examined against this background, it becomes clear why the Africans in the reserves felt as they did, and why their protests took the particular form of resistance to agricultural, fishing, and game regulations. All these regulations were concerned with African use of the land. After the Lusaka conference in August 1952 there were disturbances in Northern Rhodesia; as a result, one chief was arrested and three others deposed, in addition to the arrest and imprisonment of a number of tribesmen. One chief ordered his people to fish in defiance of the closed season regulations. In another area all the chiefs of one tribe announced that they would disregard certain provisions of the Game and Forest Ordinances, and urged their people to do as they wished in the forest and game reserves. Elsewhere a senior chief openly encouraged his people to disregard Native Authority orders designed to promote agricultural and veterinary progress. The Chief Secretary referred obliquely to a political significance in these events by mentioning the 'bad advice' given to the chiefs and people.¹ But the real significance of this defiance of certain laws and the resulting disturbances lay in the particular form they took, namely, resistance to control by Europeans of African land. Thereby the Africans demonstrated their intention to resist any further encroachments.

1. Report of statement by Chief Secretary to the Legislative Council of Northern Rhodesia on 23 February 1953 (*Central African Post*).

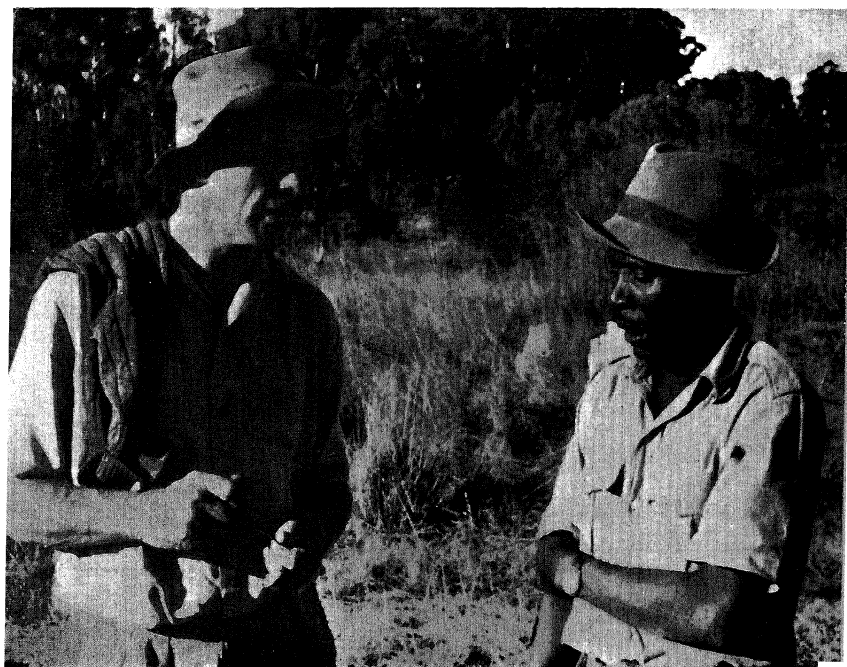
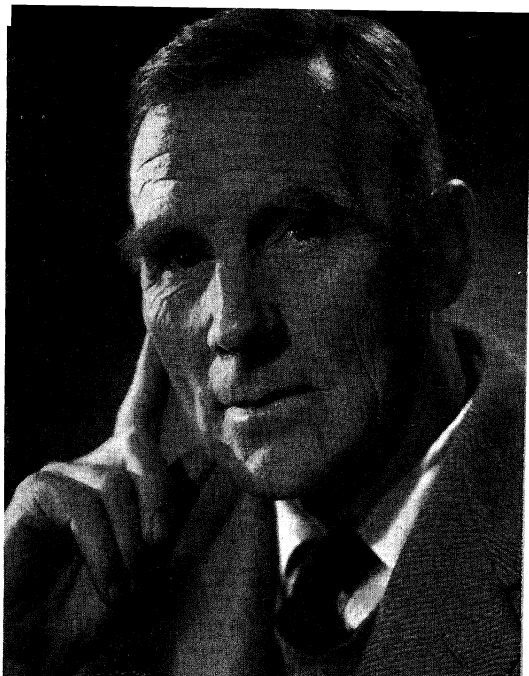
PLATE V

Right Guy Clutton-Brock

below

Mr Clutton-Brock talks to Mr John Mutasa, Farm Manager at St Faith's. Guy Clutton-Brock first went to St Faith's in 1940 and John Mutasa was one of the first to join him in the now famous experiment in self-governing, non-racial co-operative farming and community development which he initiated there. For Africans all over the federation it was a model of genuine partnership. But this experiment is now over. At the end of 1959 the self-governing machinery on which the enterprise depended was abolished by the Diocesan authorities. Work on the land virtually ended and the men sought work elsewhere.

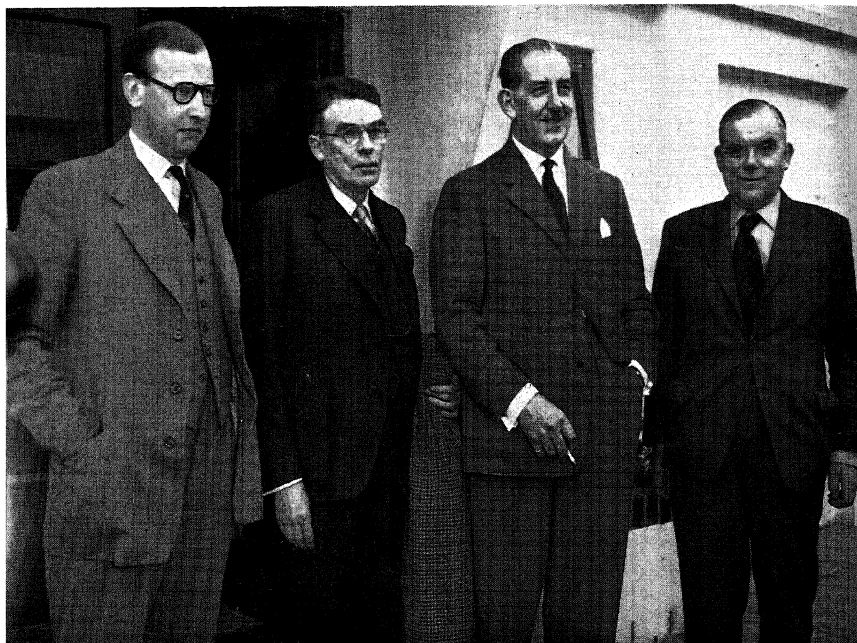
Shaw Wildman



Africa Development Trust



Associated Press



Keystone Press

PLATE VI *Top* During the Emergency in Nyasaland
Lower The Devlin Commission (l. to r.) Mr E. T. Williams, Mr Justice Devlin, Sir John Primrose and Sir Percy Wynn-Harris.

There is a further aspect of the land situation which reinforces African opposition to federation and the demand for full representation.

Very few Africans in the reserves are able to grow cash crops or earn wages there: the vast majority live by traditional methods of subsistence cultivation. To date, these methods have in the main provided enough food to sustain the rural Africans and enabled them to use the money earned through wage-labour to improve their living standards. But in recent years many systems of African land usage have shown a distressing tendency to degenerate, creating serious problems of soil deterioration and rural poverty.¹ This degeneration has a number of causes which affect each other. In the first place, the reserves were demarcated originally on assumptions that have not been verified by events. These were, primarily, that artificial water supplies would be provided, improved agricultural methods introduced, and capital assistance given on a scale sufficient to support a greatly increased population. The population has certainly increased, largely owing to the fall in death rates universal in African societies. But agricultural methods have not been seriously improved, nor are transport facilities anywhere like adequate to deal with an improved agricultural production. Furthermore, the annual drain of migrants, often fifty per cent or more of the able-bodied, throws a serious burden on their kinsmen left behind, for these are obliged to maintain the dependents of the absent as well as their own. The loss of so much male labour considerably affects traditional methods of cultivation, varying between one tribe and another according to the amount of land they occupy, the density of population, and the actual methods of cultivation used. Where enough active men remain at home and land is plentiful, production can be maintained with little difficulty, particularly if the women are able to assist. But if the proportion of women, children, and old people to active men is too great, and the land is overcrowded, then a traditional system of agriculture may collapse. Its fate is also affected by the extent to which an adequate family and social life survives the absence of large numbers of men.²

1. D. U. Peters: *Land Usage in the Serenje District* (Rhodes-Livingstone Papers No. 19): Oxford University Press, London, 1950.

2. W. Watson: *Tribal Cohesion in a Money Economy*: Manchester University Press, 1959.

The grave problem of overcrowding and soil deterioration is easier to state than to solve. The remedy appears to lie in an expenditure of both capital and skill on a scale not yet contemplated. This would also imply a new system of land tenure, to permit individual farmers to work much larger areas with modern equipment and new crops, thereby increasing the productivity of the soil. Such a radical change from the present systems of tenure, which permit only the cultivation of small fields with the axe and the hoe, would inevitably mean the removal of large numbers of people from the land and their permanent establishment in the towns. These changes could only proceed with the permission and collaboration of the rural Africans, and if forced on them would be likely to produce the most violent protests. They are only conceivable in a situation where the Africans have a responsible voice in development, which implies the granting of social and political rights.

Tribalism and the new leadership in the towns

While opposition to federation in the reserves has been organised on the basis of tribal loyalties under the leadership of the chiefs, opposition in the towns was based on quite different loyalties and leadership. Here tribal loyalties have another significance. African urban populations, like those in all industrial societies, comprise large numbers of workers with contrasting levels of skill and education. These form economic and social classes. At the top of the social scale are the professional and higher white-collar workers and the successful traders, completely westernised in their habits and behaviour; they use European food and drink, furniture, newspapers, etc., and speak English to one another. At the bottom of the scale are the unskilled labourers whose pattern of living differs little from that of rural villagers. Between these are ranged the lower white-collar workers, the supervisors, and the skilled and semi-skilled manual workers, who vary considerably in the degree to which they are able to achieve what they regard as a 'civilised' way of life. Common to them all is the ideal of the modern mode of life evolved in industrial society and set before them by the European population.

To serve their varied socio-economic interests, the Africans in the towns have built up a number of associations such as trade

unions and professional and other organisations. In these the professional and white-collar workers inevitably become the political leaders, for they are familiar with urban life and can speak English and present grievances and demands in terms easily intelligible to the Europeans. Thus in their political and economic opposition to the Europeans, urban Africans are united across tribal affiliations.

It is in social affairs that tribal affiliations play a significant part.¹ Most African workers in the towns, particularly unskilled labourers, have a very insecure foothold. No matter what he wants, a migrant labourer cannot be fully integrated into an urban social system where married men cannot acquire permanent homes. Accordingly, most migrants are careful to keep their contacts with the tribe in good order, for they know that some day they must return. Moreover, African migrants from the same tribe tend to congregate in the same labour market and to take up similar work, so that in his initial plunge into urban society an African often joins his kinsfolk and fellow tribesmen. He uses these tribal connections to help him find a job and accommodation, and to ease his first steps in the urban environment. He can talk freely to his fellow tribesmen and shares their social customs and prejudices. In effect he remains a member of the rural community he has just left and to which he hopes to return. If an African marries while working in the town he tends to choose his wife from among the sisters and daughters of his fellow-tribesmen; there is far less inter-tribal marriage in the towns than is usually assumed. Tribal affiliation and custom thus dominate in leisure activities and social intercourse, and provide a moral standard whereby to judge the behaviour of others. Tribal affiliation may also be used as a condition of membership of various associations for mutual aid, such as clubs, funeral societies, etc. This is particularly true in Southern Rhodesia, where other forms of association are relatively weak.

What is the effect of this social and domestic tribalism of the towns on the larger economic and political associations which

1. J. C. Mitchell: *The Kalela Dance: Aspects of Social Relationships Among Urban Africans in Northern Rhodesia* (Rhodes-Livingstone Papers No. 27): Manchester University Press, 1956. Also, G. Wilson: *An Essay on the Economics of Detribalisation in Northern Rhodesia* (Rhodes-Livingstone Papers Nos. 5 and 6: Oxford University Press, Cape Town, 1941, 1942.

have been developed there and which, as we have seen, embrace workers from hundreds of different tribes?

In the first place, we have to remember that there are broad similarities of language and custom among the tribesmen of certain wide areas. Because of these similarities the hundreds of different tribes can be reduced to a much smaller number of categories, and all the tribesmen grouped within any one of these categories can be treated by others as though they were members of one tribe. Hence all men from Nyasaland when on the Copperbelt are lumped together by others as 'Nyasas' and treated as one category irrespective of their particular tribal affiliations. Similarly, members of the many different tribes in the north-east of Northern Rhodesia, who may be traditional enemies, are grouped together when they come to the Copperbelt and treated as though they were all members of one tribe. They are all addressed as 'Bemba', after the name of the largest tribe in the north-east. Tribalism in the towns is not the same thing as tribalism in the reserves.

Moreover, such rivalry and hostility as does exist between these larger groupings or categories is often not due to differences of custom and language alone, but to the fact that certain of them have tended to monopolise the best jobs available to Africans. The Nyasalanders, for instance, took many of the jobs demanding higher education, while the Bemba acquired many of the positions of authority open to Africans on the mines. These differences have a historical foundation. In Nyasaland, the Church of Scotland missions established schools much earlier than in the other territories; as a result, Nyasalanders from these schools easily gained those urban posts open to educated Africans. Moreover, the Nyasalanders acquired mining skills much earlier than other peoples through their work in the Southern Rhodesian mines. The Bemba, because of their numerical and historical dominance over other tribes in Northern Rhodesia, were often given positions of authority in the mines. Hence social and economic class differences between urban Africans tended to coincide with so-called tribal differences.¹ The Barotse too had an early advantage in acquiring education and industrial skills because of their unique political relationship with the

1. M. McCulloch: *A Social Survey of the African Population of Livingstone* (Rhodes-Livingstone Papers No. 26): Manchester University Press, 1956.

British.¹ Hostility between the 'Nyasa' and 'Bemba' peoples is referred to throughout the evidence taken by the Russell Commission,² yet because of the predominance of the 'Nyasas' in clerical and supervisory posts this hostility cannot be said to be due to purely 'tribal' differences.

It is also significant that trade unions and other African associations similarly based on economic and social interests now dominate African urban life. They have supplanted the organisations based on tribal authority which were formerly set up and supported by Europeans to control the African urban population. One such was the system of tribal elders introduced by the mine management to act as an intermediary between management and the African mineworkers and to settle any disputes arising between the men themselves. A similar system was set up in the municipal locations where other African workers lived. These institutions projected the authority of the chiefs, to whom many of the tribal elders were related, into the towns. In effect, the elders in the mine compounds became representatives of the employers in dealing with the workers. Their authority was accepted for settling disputes between the men themselves, but when the workers finally came into conflict with management, they came to regard the elders as 'collaborators' and repudiated their authority. The elders' authority was primarily based on tribal political systems whereas the African workers were organised in departments and gangs in which tribal affiliation was irrelevant. When the African Mine Workers' Union emerged after 1948 as a powerful industrial organisation able to negotiate with management, it insisted on the abolition of the tribal elder system. The union leaders viewed the tribal elders as a threat to their own authority and as a potential source of dissension among the workers. In a referendum held among the African mineworkers in 1953 the workers sided with their union leaders; eighty-five per cent of the 35,000 miners voted, and ninety-seven per cent of these voted for the abolition of the elder system. In this way the union eliminated the formal organised power of tribal representatives from the

1. M. Gluckman: *The Judicial Process Among the Barotse of Northern Rhodesia*.

2. Russell Commission, 1935: *Report on the Commission appointed to Enquire into the Disturbances in the Copperbelt*: Government Printer, Lusaka, 1935.

industrial field. In much the same way the population of the municipal compounds, almost invariably led by bodies representing educated Africans familiar with the conditions of urban life, also opposed the elder system.¹

Yet the rise to dominance of associations based on economic and social interests has not entirely eliminated tribal allegiances from the industrial situation. The migrant workers' tribal membership and loyalty does affect the struggle for power among their leaders. Within the unions, elections for official posts have been to some extent fought on tribal lines. During the first election for offices in the newly-established African Mine Workers' Union in 1949, the principal candidates appealed to tribal loyalties when campaigning for support. Tribal differences among the industrial workers also affected the formation of the Mines African Staff Association in 1953. But this particular struggle for leadership, although conducted in terms of the three great 'tribal' categories of Nyasa, Bemba, and Barotse, in fact concealed a struggle between groups of different skills and social status.

In conclusion, it cannot be denied that tribal loyalties are still important and will remain so for a long time to come. Many of the disputes and divisions between Africans are inevitable. They arise from the continued existence of tribal reserves, from government policies that support tribal institutions, from differences in language and culture between Africans, and finally from European economic and political dominance. But their growing political maturity appears clearly in their ability to unite despite these divisions. Nor can these divisions be advanced as an argument against further political advancement. The social experience of Africans is complex and diffuse. Africans associate with others for many different reasons; to work and improve their social standing, to make a home and rear children, to entertain like-minded friends, to achieve political aims. In striving to reach these objectives different loyalties arise and may conflict. African trade unionists can oust tribal elders from the towns, and with them tribal authority, without affecting African loyalty to their chiefs.

This situation is not peculiar to Africans. The Europeans of

1. A. L. Epstein: *Politics in an Urban African Community* and also *The Administration of Justice and the Urban African*: H.M.S.O., 1953.

the Federation too have their forms of 'tribalism'. Apart from the distinction between the English-speaking and Afrikaans-speaking populations, Scots, Welsh, Irish, and other European nationalities have their own particular associations, and the domestic life of these groups may be ruled by their own national customs and prejudices. People also associate on other grounds, for instance as Roman Catholics or Protestants or Jews. But they can all unite within political parties and trade unions and employers' federations. Urban tribalism in Central Africa is, in a sharper form, the tribalism of all towns.

Congress and the unity of African rural and urban experience

The transformation of tribal life is permanent; for good or ill Africans cannot turn back to the past. The money economy embraces both towns and reserves, and in both areas Africans are fully involved as earners and consumers. Within the reserves Africans cannot readily earn the money they need, because of the relative lack of opportunity. They must travel to the centres of industrial employment, engage there in paid labour, and eventually, because of their social and economic insecurity in the towns, retire permanently to the reserves. For most tribal Africans, working life is a constant oscillation between reserves and towns. In 1956 there were 297,676 migrants from other territories in Southern Rhodesia, more than half its total African labour force. In that year Nyasaland exported 148,042 wage earners out of its total of 289,123 workers in paid employment. Many of these migrant Nyasalanders went to Southern Rhodesia, the largest employer of African labour of the three territories. And even among workers employed within their own territory, the great majority are temporary migrants from the rural areas.¹

As Chapter 7 has shown, African real wages in the Federation have recently risen. The number of Africans in skilled or semi-skilled jobs has grown and their earnings have gone up. These developments have many important implications, but the most immediately important consequence for Africans in the towns is that European employers have been forced to reconsider the whole question of migrant African labour. Indeed, a stable labour force may be essential to the future development of

1. *African Labour Survey*, p. 666: International Labour Office, Geneva, 1958.

certain secondary industries. Even in the mining industry the need for a stable African labour force is now recognised, in spite of some strong opposition. The Chairman of the Rhodesian Selection Trust has stated that 'the old concept of rural inhabitants coming to the towns to work for shorter or longer periods and returning home for comparatively long intervals is a waste of manpower and an anachronism'.¹

But although things may change in the future, the migrant labour system still brings most Africans into the industrial centres as transients only, and they soon become aware of their insecurity. Until recently, Africans could not own houses in the towns; even the recently-introduced house purchase schemes in some towns are still mainly designed to accommodate white-collar and professional Africans. Houses are tied to jobs, with all the insecurity that this implies, and such are the difficulties of accommodation that most town-dwelling Africans send back their children to the reserves to be reared by relatives, a practice which tends to strengthen their tribal ties. Discrimination against Africans applies in every field of industrial and social life. Even where Africans perform the same tasks as Europeans they are paid very much less, and the range of skilled work open to them is still very restricted, while in spite of some recent improvements² the fact remains that in day-to-day intercourse with Europeans the Africans are constantly reminded of how they are looked upon as inferior and all too commonly regarded with contempt. And finally, African wage rates are simply too low to maintain a tolerable existence in a modern town. As late as 1952 African wages in Southern Rhodesia were still on the average less than seven per cent of those of Europeans³ and a similar discrepancy existed in Northern Rhodesia. In the Northern Rhodesian mining industry in 1954, for example, European surface workers earned an average of £99 a month as against an average of £6 4s 7d a month for Africans.

These low wage rates are based on the assumption that the African labourer and his family draw upon farming in a reserve for their basic subsistence, so that it is no wonder that for this

1. R. L. Prain: 'The Stabilisation of Labour in the Rhodesian Copper-belt', *African Affairs*, lv, 1956.

2. See pp. 99-100.

3. *African Labour Survey*, p. 280 ff.

reason alone Africans are sensitive about their land rights. Yet inadequate wages are only one aspect of the lack of security which the African finds in the town. For adequate housing and family life, schools and security against unemployment, sickness and old age, Africans must also look to the reserves.

Most Africans say that they would prefer to stay at home in the reserves if they could earn sufficient money there. But the only alternative to wage-labour is to grow cash crops, and for a number of reasons this is impracticable in most rural areas of the three territories. Even if cash crops could be grown, and in itself this presents many problems, the lack of transport facilities to suitable markets is an almost insuperable obstacle to most African agriculturalists. The land closest to the industrial markets, in both the Rhodesias, is largely taken up by European farmers. Only in Nyasaland have Africans earned any considerable sums from cash crops. But where cash cropping is feasible, the rate of migration to the towns is reduced, as the Lacey Commission reported some years ago.¹ The reasons for African migration are therefore overwhelmingly economic, a compromise solution to the various economic and social obligations that a tribesman must incur.

This deep interdependence of African urban and rural life, and the common stock of experience which has grown out of it, was very clearly revealed when the African National Congress tackled the problem of tribal loyalties. These confronted Congress with its most severe task, for they could not be ignored and contained a threat to African unity. Congress adopted the bold policy of sending out organisers to tour the reserves and hold meetings there. These organisers sought to impress on the villagers the need for unity and to convince the chiefs of the need for collaboration in a common purpose.

The response was immediate and enthusiastic; by and large, both chiefs and villagers accepted the Congress line. The warmth of the response was something of a surprise to all concerned, not least to the Administration. Most of the Congress organisers were educated urban Africans not immediately concerned with tribal affairs and therefore considered not to be the type likely to affect the opinions of 'conservative' peasants. But the immediacy of the

1. Lacey Report, 1935: *Report of the Committee appointed by H.E. the Governor to Enquire into Emigrant Labour*: Government Printer, Zomba, 1935.

response could have been foreseen, for it arose out of the common background of industrial experience. There were few peasants who had not worked in the towns at one time or another. Congress policy in fact gave coherent expression to feelings and attitudes towards European political and social domination that had developed through at least two generations of migrant labour. The peasants were quite familiar with the attitudes and opinions of urban Africans, and were fully prepared to support them. The tribesmen supported Congress because they felt that the land question was fundamental: in their dual capacity as industrial workers and peasants they realised that the reserves provided their ultimate sanctuary from the insecurity of the labour markets. The fear of losing their land was the strongest motive for African opposition to the federation proposals. The Africans in the Protectorates suspected that a federal government would be dominated by the European majority living in Southern Rhodesia, particularly if the federal capital was sited there. They also feared that the Southern Rhodesian pattern of race relations might be introduced throughout the new Federation. When federation was finally imposed in spite of their protests, the tribesmen of the Protectorates took the view that the Colonial Office had thereby betrayed a trust.

Conclusion

Despite all their divisions, Africans will remain politically united under the leadership of the Congresses as long as they are refused adequate political representation by the European minority. If this refusal is maintained it could embitter the Africans and give a racialist complexion to the nationalist movements. So far all responsible African leaders have completely repudiated racialist policies.

The fundamental cleavage that at present appears to exist between Africans and Europeans gives to each side a misleading appearance of monolithic unity. If Africans were to gain their goal of effective political representation, the chief bond which at present unites them would dissolve, and the nationalist movements might well divide along lines of class and sectional interest. The conflict of interest between chiefs, as traditional leaders, and politicians, as elected leaders, which is at present obscured by their common purpose, would also assume political significance.

There would also be a real chance for the growth of common political organisation to take place between Europeans and Africans, which it is official policy to promote. But the conflicting tendencies within the African national movement are unlikely to disturb their unity of purpose, so long as effective political representation is withheld.

CHAPTER 14

THE 1959 'EMERGENCY' IN SOUTHERN RHODESIA

Most of the people detained were taken by the police from their homes before dawn on 26 February 1959. At the Police Station they were finger-printed and handcuffed. One by one others came in from Reserves and Locations.

From the police cells they drove to the depot, where hundreds were gathering in a barbed-wire cage. There were local and national leaders. The troops were there. They had been stationed around the Locations. The 'three-star' men, those who were deemed to be dangerous, were chained wrist to wrist and flown to the 'absolutely escape-proof' prison. It was guarded by soldiers and a machine-gun. The Government took no chances but it did not know what the chances were. Those less 'dangerous' were sent to a barbed-wire enclosure hung with hessian. The Superintendent was good so they nicknamed him 'Todd'.

'You are prisoners now and controlled by prison regulations. If you resist there'll be trouble.'

Dissent wrote later:

It took them some time to adjust. No one was quite sure who was in which prison ('Run down to cell 320, and ask the bastard what his name is'); no one was quite sure what rations the prisoners should have, or who should be allowed to visit them. From this confusion rather than from any deliberate ill-treatment sprang most of the complaints of the detainees. Conditions were not 'worse than the Gestapo', but they were chaotic as well as humiliating. (*Dissent* No. 3, 23 April 1959).

Conditions have now settled down. The food is the grade for African prisoners; the beds are boards without mattresses; weekly visits of a quarter of an hour are allowed to approved visitors, who may travel 500 miles at their own expense to see their friends or relatives. Few can afford the privilege.

Screening by the C.I.D. began, based on information

comparable only to the records of the Star Chamber. Within those files lie reports of week-end courses at St Faith's; of political meetings addressed by Mr Todd; of cultural and social occasions in Harare; probably even of football matches. Two or three can scarcely be gathered together in the African townships but a C.I.D. man is bound to be there. This has become so much an accepted feature of African society that the C.I.D. man sometimes makes his appearance in the social columns of the African Press . . . (*Dissent* No. 2, 9 April 1959).

Congressmen tell of an African C.I.D. man attending a Congress meeting who was so carried away that he leapt to his feet, made a fiery speech on African rights and included himself in his report. 'Informers' are often less honest. Anxious to gain credit, sometimes almost illiterate, translating from a foreign language, reporting sometime later, not really knowing what they are doing, they may damage for ever the reputation of friends. If the tit-bits incriminate, they are likely to go in the files. The truth of the words and their meaning are often open to doubt.

The suspicions which lie in the files are partly revealed in the questions:

'What books do you read?'

'History and economics.'

'What wireless stations do you listen to?'

'Lusaka.'

'What do you know about Communism?'

'What I have read in the dictionary.'

'Why did you join the Congress?'

'When we went alone to the Native Commissioner, he would not listen. So we went in a body. He listened then.'

'Did the Congress leaders make you join?'

'No, we joined of our own free will.'

'What benefits did you hope to get for yourself?'

'None. Congress benefited all the people.'

'Have you got any European friends?'

'Yes.'

'Who?'

'Mr Z.'

'Any more?'

'No.'

'What about Mr Y?'

'He is an acquaintance.'

'Do you know Mrs X, Miss W, the Reverend V, Sir U. T., Mr S . . . ?' – and so on through the list of suspected 'liberals'. Some well-known names come out. The most distinguished are not taken down; but the ex-Prime Minister, the ex-M. P., the well-known solicitor, the university lecturer, the business woman, the welfare-worker and many others are recorded. The notes may come in useful in years to come; who knows who may be caught in the net? 'I think one has to accept the fact in these days, that one half of the world now spies on the other,' said a leading Colonial Civil Servant in Nyasaland, to a missionary who complained some years ago of being followed about by the C. I. D.

The prisoners returned to their cells. There they had time to think. What sort of civilisation was this, what sort of justice, to be imprisoned suddenly without trial for belonging to an organisation which was legal at the time? Why did not Government declare Congress illegal, state the reasons and give him a chance to consider? What did this 'partnership' mean? To have European friends seemed the gravest grounds for suspicion.

The Congress movement

Congress had been re-formed eighteen months before. Those who promoted it were not intellectuals. They had risen to leadership from among the people. Some had helped to found the Inter-racial Association. They worked with those Europeans who took the risk of being their friends. The aims of Congress were published. They were non-racial, liberal and democratic:

The African National Congress of Southern Rhodesia is a people's movement, dedicated to a political programme, economic and educational advancement, social service and personal standards.

Its aim is the national unity of all inhabitants of the country in true partnership regardless of race, colour and creed. It stands for a completely integrated society, equality of opportunity in every sphere, and the social, economic and political advancement of all. It regards these objectives as the essential foundation of that partnership between people of all races without which there can be no

peaceful progress in this country. Congress affirms complete loyalty to the Crown as the symbol of national unity.

It is not a racial movement. It is equally opposed to tribalism and racialism. It welcomes as members all of any race who are in sympathy with its aims and are prepared to fulfil the conditions of membership. It recognises the rights of all who are citizens of the country, whether African, European, Coloured or Asian, to retain permanently the fullest citizenship. It believes that this country can only advance through non-racial thinking and acting, and that an integrated society provides the only alternative to tribalism and racialism. (*Southern Rhodesia African National Congress Statement of Principles, Policy and Programme, 1957.*)

The movement spread widely. News of it was handed on by word of mouth through Reserves and Locations. Formal membership signified little. For every person who signed a form and paid half a crown there were scores whose sympathies lay with this movement of the underprivileged and unenfranchised. Many people in good positions could declare their allegiance only in private. Those who became office-bearers or members of committees were essentially law-abiding people; they sought to serve their fellow men and to promote the cause of 'partnership'. Men and women of local repute, they included headmasters of schools, teachers of many years standing, businessmen, store-keepers, farmers, clerks, drivers, workers in agriculture and industry. Some were highly educated. Some were headmen and advisers to chiefs. Most were Christians and some were staunch churchmen. Government servants sympathised with Congress, as did local leaders in all walks of life.

The movement was not inspired from outside the country. The conferences at Accra merely added confidence because they emphasised equality and the development of Africa for all its inhabitants regardless of race. Congress arose from the urgent needs, both local and national, rural and urban, of the African people in Southern Rhodesia.

The organisation of Congress had not advanced far. Difficulties lay in the way of raising funds. The incomes of most Congress supporters left no margin. There were also obstacles to obtaining offices in either European or African areas. Finally the national executive settled down in the small back-room of a general dealer's store in an African township.

To this room injustices and frustrations were brought from rural Reserves and urban Locations. They were aired at meetings, brought before Native Commissioners, and reported to M.P.'s. In the last resort they were taken to the courts. Constitutional channels were explored, however unrewarding. There was nothing secret. Congress was 'news'; it had a 'good press' and the few national leaders hit the headlines. But the significance of this still ill-organised movement lay much more in the ordinary membership. It warmed the heart of the common man in village and location, giving him hope of release from the social injustices which he felt most acutely.

Violence, intimidation, lawlessness?

This was Congress. As an organisation, in its agreed policies, declarations, resolutions, discussions, was it thinking in terms of revolution, violence, intimidation, lawlessness, extreme nationalism and the other evils which figured so irresponsibly in the sometimes conflicting statements from government spokesmen? The tempo of these accusations had steadily increased since the earliest days of Congress; finally they were used to justify the introduction overnight of many of the conditions of a police state. 495 men and women, who were mostly British subjects and citizens of Southern Rhodesia, were imprisoned without trial. No evidence has yet been produced to support the allegations made. Hundreds of people in jail and thousands outside knew that as far as they were concerned there was no evidence and that Congress as a movement was innocent of these accusations. Some people wondered why the government seemed so misinformed; others thought that they were victims of a major political manoeuvre connected with the 1960 Federal talks.

Yet perhaps there were certain individuals, members or leaders of Congress, who had been guilty of evil intent? Were there some 'hot-heads' whose tongues were uncontrolled, or who had made illegal plans without the knowledge of the members or of Congress as an organisation?

The Review Tribunal set up under the Preventive Detention Act to enquire into the position of the detainees reported in August 1959 that it had found that intimidation of people to make them join Congress was among the 'principal objects of

active Congress members', together with the incitement to disobedience and hostility to the laws and lawful authority, the incitement to racial hostility and the dissemination of subversive propaganda, the misinterpretation and falsification of facts to bring the Government and Europeans into disrepute, and co-operation with the Nyasaland African Congress and the Zambia African National Congress of Northern Rhodesia; and that these and other less obviously subversive activities, such as the use of demonstrations and processions, amounted to evidence that Congress intended to alter the constitution by unlawful means. None of the evidence for these findings has been revealed although the Tribunal disclosed that the evidence given to it openly was 'not sufficient in itself to justify any firm findings of fact' but only 'afforded in most instances very strong corroboration of the secret evidence' principally submitted by the police African Security Details.

It remains strange, in view of the gravity of the accusations levelled in justification of the declaration of emergency, that so few people¹ have been charged with crimes, for as we have seen² there were already several laws providing large penalties for most of the activities alleged. Only six months before the governing party had correctly said:

The public can be assured that the Government has ample powers to deal with any threat to security which is likely to arise, but need have no fear of these powers being used to curtail the liberty of the law-abiding subject. . . .

Such legislation as is necessary to avert or deal with any disturbances or dangerous influences here has been passed and will be enforced. (Extract from the United Federal Party, Southern Rhodesia Division, Political Principles, May 1958.)

Yet within a year three new bills³ were passed further curtailing the liberty of the law-abiding subject and threatening with five years' imprisonment those who might raise their voice in the future. Is evidence so hard to find and difficult to present, that

1. A small number of people were charged earlier under the Public Order Act and fewer still were convicted.

2. Pages 126-300.

3. The Preventive Detention Act 1959, the Unlawful Organisations Act 1959 and the Native Affairs Amendment Act 1959: see pp. 128-30.

trials must be dispensed with? The need to find evidence which will satisfy a court is always an irksome burden on the police but it is a guarantee of justice to the citizen. To remove the need for proof before imprisonment is to surrender 'the very standards which Britain sets herself' which, the Federal Prime Minister has said, 'we, the Europeans of the Federation, are striving to preserve.' It is in fact to overstep the boundary which divides the civilised from the police state.

'Plots' and 'conspiracies' are common in history, announced when the people begin to stir. They have justified much repression. The fact remains that no evidence was produced to show that even one member of the Southern Rhodesia African National Congress was guilty; yet 495 were imprisoned and the

Government . . . launched itself into a legislative programme which carries the clear implication that the *entire* African population is suspect; the *entire* population must be restricted; the *entire* population must have its normal life disrupted; basic freedom of speech and association are removed from *all*. (*Dissent*, No. 2, 9 April 1958.)

If there was a handful of agitators in Southern Rhodesia whose threats against injustice were too strong, was there need for such fearful and sweeping action against virtually the whole of the African population? Has Government become too sensitive to criticism, or is its position too insecure? Compared with the threats which echoed from the back-street corners of England in the 1930s, the words of Congress leaders were mild.

The condemnation of violence is rightly universal, but not always above reproach. Ninety per cent of the governments of the world believe in the use of violence; no country has yet proved civilised enough to give it up. The 'Boston Tea-Party' and 'Go it alone' speeches of the Federal Prime Minister have received only the gentlest reproaches. It is not violence as such which is usually questioned, but the grounds on which it is used or threatened.

This is not lost on African people. History is read and civilisation is judged by its sincerity. Continuing injustices have always provoked violence. Central Africa is not exempt from the laws of history. If individuals have felt driven towards violent courses to right social wrongs, rather than the higher forms of

Christian love, they are no doubt to blame in the sight of God and man. Perhaps much more to blame are those who have allowed such wrongs to remain too long unrighted.

Among those detained and imprisoned under the Emergency Regulations there were no 'Coloureds' or Asians. The only European was myself. With a handful of other Europeans I joined the Congress to try and make 'partnership' work. We were part of a larger number (dubbed 'ultra-liberal') who, with African friends, sought the way out of the *apartheid* maze. The houses of some were searched. Christian and socialist literature was found and removed to C.I.D. headquarters. Some of the 'ultra-liberals' had helped Congress, some had played a part in inter-racial organisations, some had had Africans to tea. Most had gone too far. They had allied themselves with African aspirations and this conception of partnership threatens European supremacy.

I was the only one arrested. My books and papers were taken. The most subversive document, my Bible, was left. I did not feel wrongfully used; the issues soon became clear. I wondered whom I would meet in the police cells – a Bishop perhaps, or some Salisbury celebrities? I was disappointed. In my police cell there was only a rather drunk young man who had lain with a coloured girl and defrauded the taximan who took him there. I was flown to Salisbury in first-class style, and returned to police cells again. They forgot the food; the police were busy that day. The C.I.D. officer who drove me to the jail – my host that day, though a guest of the past – declared, 'Now we have got the Congress where we want it, and a good job too.'

The prison gates shut. The last rites in the office began:

'Religion?'

'Christian.'

'Christian?'

'Yes, Christian.'

'Well, what denomination is that?'

Interrogation by the C.I.D. followed. Seven years came under review in the course of two days, from pages of notes from the files. I and my wife had stayed with African friends in all three territories of the Federation and many were Congress members. I had also stayed with Europeans and government officials, but this did not matter so much. I was concerned with community

development and adult education. I had spoken at a meeting here, talked to a committee there. I had stated that the Congresses should work together. I had advised headmen in a Reserve to approach their M. P. I had declared in public: 'It is the duty of every citizen and Christian to be an agitator for justice, righteousness and truth.' I had organised courses at which people of all races and all parties were present; they had included Congress members. I had helped draft the aims of Congress. Had I helped with the memorandum from Congress to Lord Home? I could not remember, but would if I saw it.

Thus emerged the evidence which gave rise to such deep suspicions. I must have had a sinister influence on the Congresses in all three territories. The 'natives' could not have done it themselves; there must have been a European. My bank-book was taken but it did not show receipts of gifts from a foreign power. The information in the hands of the C. I. D. was voluminous and often correct. What was lacking was insight into what it all meant.

I returned to my cell. It was prison life, in spite of the books, tobacco and courtesy of the officials. I settled down; there seemed no more reason to expect release than there was for detention. Twenty-three hours out of twenty-four in a cell gave time for reflection. Like others I thought of my family. Then of my friends; had they dubbed me silly? It did not take long to find out. Few friendships were lost. Most were strengthened and many more gained. My friends made a hullabaloo and after twenty-seven days at half-an-hour's notice and in the Chief Officer's car to avoid the Press, I sped out through the gates. I was now the latest curio in the 'partnership' museum, and of rather more interest to nationalists, both black and white, than ever I had been before.

Others were also released, including Moses Makoni. He was a cobbler, not a member of Congress, and did thirty-eight days. He turned out to be the wrong Makoni; it is quite a common name. Some who had come from Nyasaland to labour and had stayed many years, settled down and married, were deported back to that land, strange to them and their Southern Rhodesian children. The principles governing release were as hard to understand as those which governed detention. No one had been tried and found guilty or innocent. Some had lost their jobs. Many

remain in prison. All are liable to return for five years, at any time and without trial. It does not seem to depress them.

One national leader of 'three star' merit, and therefore 'dangerous', wrote from prison:

I have never been as happy and free as I feel in this place for I know that in the end and after all these troubles are over, we will come out as victors and not the vanquished. So in prison we shall be content, if our being here shall bring forth goodness and justice for all in this country. . . . It is very encouraging to know that there are many of her people outside who still maintain fearlessly the cause of justice. . . . Every one of us, young and old, is in good spirit. We hold services twice a day. We pray for all of us. I enjoy these services. In the present circumstances what else can one do? . . . The place is now enriched with various talents. We have preachers, teachers, agitators!!, football players, farmers, capitalists, workers, scientists, singers . . . who are all invited to study one science – namely 'Political Science'! Is it not strange? And wait, among all these people I have not up to this day met one Communist! I am of the opinion that a certain Gentleman in the Federal set-up has been very wrong about Communism in Africa!

Dissent comments on Communism, quoting Anthony Sampson's words from *Drum*:

It is high time Rhodesian politicians realised that what they are facing is nationalism not Communism, for you cannot easily prescribe for a disease if you have wrongly diagnosed it. For this reason it is necessary to expose the myth of the Hidden Red Hand. . . . 'If Communism is not a serious danger then anti-Communism is.' It not only 'confuses Red with Black and by stamping African leaders as Communists intimidates liberal Europeans from supporting them', but also 'provides a plausible excuse, on the familiar Nazi pattern, for suppressing civil liberties'. (*Dissent*, No. 2, 9 April 1958.)

The prisoners were not Communists; nor, for far the greater part, were they militant nationalists. Visitors report that at first the prisoners felt 'only shame and confusion' and 'either a sense of bewilderment or a sense of injustice'. They knew where they were, but not why they were there. Some gained a sense of community which they had never known. The jails became virtually 'summer schools'. Townsmen learned the problems of

the Reserves; countrymen learned the frustration of Locations. Those released came out three times the men they were when they went in. They had suffered for a cause in which they believed and this is a strengthening thing.

Perhaps the Police and the prison officials also learned much. They were not ruthless, as they have been in Central Europe. There were no 'beatings-up' or 'third degree' in Southern Rhodesia. A few officers forgot their manners. Some were indiscreet. 'I don't think the Government knew what it was doing when it started on this business,' said a tired-out C.I.D. man. Mostly they were courteous, sometimes embarrassed and apologetic. Having detained nearly 500 people, the C.I.D. had to find out what their catch was like. They sat down and talked with their detainees; it was adult education for both sides. The C.I.D. learned something of what it was like to live under the 'Native Department', and why Congress was strongest where justice was weakest. Some showed signs of misgiving at what they had had to do, as did a young Territorial back from Nyasaland:

The boys were trigger-happy at first; but when they'd shot their first Kaffir, they didn't feel so good. We can't fight a Kaffir war each year. We'll have to pack up and leave this Federation. I think we're too civilised now for this sort of thing.

Too civilised for domination, not civilised enough for true 'partnership'; a tragic dilemma.

What has the Government learned? *Can* it learn,

when the representatives of the Europeans have a party system which has almost ceased to function, with Government and opposition locked in unanimity while the political leaders of the Africans are banned under savage penalties? (*Dissent*, No. 3, 23 April 1959.)

The Federal Government joins in the embrace. Between them, with haste perhaps slightly unseemly, they have set out to heal what the Federal Prime Minister so rightly calls 'pin-pricks'. All races may now enter the Post Offices at the same entrance. (Congressman Yamba, a Federal M. P., suggested it three years ago; it might have done wonders then.) Only one problem remains to the Post Office girls: 'What do I now call the "boys"?'

I can't call them "Sir"! The Railways are following suit. An African has been appointed a Junior Minister. The civil service door is ajar. Natives may now take part in the Lottery. A 'Multi-Racial Hotel' has arrived: 'Yes, we take "boys" like Seretse.'

But it is the deep wounds which remain to be healed; as the 'pin-pricks' are eased, the wounds gape the wider. Land, Locations and Franchise, the dignity of Man and the freedom to meet and speak, the increasing gulf between richer and poorer, between white and black; these are the things that matter, that make the wounds bleed.

PART SIX

What is Good Government in Central Africa?

CHAPTER 15

THE MEANING OF GOOD GOVERNMENT IN CENTRAL AFRICA

History has not yet offered mankind any solution to problems of colour and race except, perhaps, either complete separation or complete integration.

The fathers of the doctrine of 'partnership between races' must have realised this. Lord Chandos (then Oliver Lyttelton), speaking in the House of Commons as Secretary of State for the Colonies, energetically presented the proposals on Central African Federation as 'a great political conception'. By it, he went on, the British sought 'to build a society founded upon partnership between the races that inhabit Central Africa.'¹ Yet neither he nor any other exponent of the doctrine did so much as point a finger at what the implications of 'partnership' were. Since 1953, the nearest that any Secretary of State has come to giving a close definition of 'partnership'—and that only after the outbreak of the 1959 crisis—has been the description of it by Lord Home as equality between Europeans and Africans in 'all walks of life, industrial, social and political'.² Yet even this leaves the crux of the problem, the speed and scope of equalising measures, untouched.

1. *Hansard*: 24 March 1953, col. 658.

2. Statement to the press by the Secretary of State for Commonwealth Relations on his return from Central Africa. (*The Times*: 6 April 1959.)

We must look closer at the different meanings which Europeans and Africans in Central Africa have given or appear to give to 'partnership', and at the political implications of these differences; and we must then ask what *good* government in Central Africa really implies.

'Partnership' between races

By 'partnership' Europeans and Africans mean distinctly different things.

The European population appears to understand it as a socio-political system based on the maintenance of race identity and on political and economic co-operation between the races. In practice the policy is one of race segregation, with the Europeans, though less than five per cent of the total population, in control. Thus discriminatory laws such as the Land Apportionment Act and the African Urban Areas Act in Southern Rhodesia, laws effecting the geographical and residential segregation of the races, must remain, at least for the 'foreseeable future'. It is no accident that neither the recent amendment to the Land Apportionment Act permitting (not making compulsory) multi-racial hotels, nor earlier amendments (e.g. allowing African students to be resident at the University College), come anywhere near to affecting the fundamental doctrine of segregation. If these laws remain, so too will segregated schools and numerous other forms of racial discrimination which prejudice the whole prospect of understanding and mutual confidence. The argument that these practices fall within territorial rather than Federal jurisdiction, and that therefore they do not detract from the *federal* policy of 'partnership', is patently disingenuous. Partnership stands or falls by what is actually done anywhere in the Federation. The territorial governments no less than the Federal are fully bound by the Federal constitution and its official policy.

To ensure the effective control of the European as the senior partner, a franchise system with high means and education qualifications which for the 'foreseeable future' only a predominantly European minority can meet is operative for all elections in two of the three territories (Nyasaland's position remains uncertain). Only recently Sir Roy Welensky, who in 1958 had dismissed adult suffrage as a myth which would never

be given any consideration,¹ warned those who thought that the Europeans 'are likely to abdicate power in 10 or 15 years' to 'prepare themselves for a rude shock'.² It is wishful thinking to discount such assertions as mere politicians' utterances, especially in the grim light of the history of federation. In any case, it is too much to ask the African not to be alarmed by such declarations, which developments have confirmed.

The 'civilised standards' which partnership is claimed to uphold are dictated by the ruling community and show nothing of the imprint which Africans would like them to bear. The doctrine sounds to them too like the Rhodesian paternalism which they know. The attitude still prevails among too many people that they 'know the African' because they know their garden 'boy' or kitchen 'boy' and that they know his needs (because they wish him not to claim basic rights).

'Selective partnership'

An important variant of this view of partnership is what we might call 'selective partnership', based on the idea of a limited absorption into the European community of educated Africans as and when they are deemed by the Europeans to have passed the 'civilised' standards. It is alarming that many Europeans sincerely believe this type of partnership to be the way out of the race problem in the Federation. It denies too many of the basic social and political values of the British liberal and democratic tradition. Under this idea of 'partnership' the individual, regardless of race, income or social status, will not enjoy equal rights and be subject to equal obligations. Instead, the majority of individuals will – for an indefinite time in the future – be subordinated to a minority who will protect their special privileges behind a wall of 'civilised' standards. It is encouraging that this approach to partnership, along with the even more limited partnership of communities, has recently been rejected by both Liberal and Labour Parties in Britain.³

1. *The Observer*: 9 November 1958.

2. *The Times*: 11 April 1959.

3. This view is borne out by the call made in March 1958 by the National Executive Committee of the Labour Party for an unequivocal statement that the objective of the Federation is complete democracy and equal rights for every citizen, the elimination of racial discrimination in both social relations and industry and the revision of the federal franchise to ensure genuine

But such an 'élite partnership' would in any case not work. It makes three fundamental assumptions, none of which is sound.

The first assumption is that the vast African majority, who would be more or less permanently disenfranchised, will nevertheless be content to allow itself to be ruled by this *élite*.

The second is that educated Africans will be so fully received into the European 'civilised' community that they will feel their loyalties to it and not to their backward fellow Africans. All evidence is surely against this. French colonial policy and its consequences in French West Africa should be instructive. The 'assimilated' few become outcasts, being not really inside the European community but cut off from their former community. The inevitable reaction has been for them eventually to go back to their own racial community, and often to be more radical and uncompromising than those who have not gone through their experience of serving as a 'buffer class' between the Europeans and their fellow Africans.

The third assumption is that as the number of 'civilised' Africans approximates to and finally outstrips the size of the European population, the latter will be willing to lose their present monopoly of power. This too is surely a naïve assumption.

Partnership between individuals

By partnership the African means equality of *individuals* before the law, regardless of race or colour. It means for him a social and political system based on persons rather than groups. Specifically, it means the total abolition of discrimination on grounds of race and a steady advance to full political equality and majority rule. These are the values that have gripped African minds. For them, it is not so much partnership *between races* as non-racialism which is of supreme importance.

The European idea of partnership is ethnocentric and has more in common with the historical facts of segregation throughout Southern Africa, except that it accommodates some inter-racial co-operation. The African idea is egalitarian and has

African representation. The Liberal Party Committee had similarly demanded the abolition of the colour bar in all its forms, and for the grant to the majority of the adult population of an effective vote. (*Manchester Guardian*: 9 April 1959.) The emphasis in both appeals is on democratic rule based on equality.

more in common with integration, not necessarily through miscegenation. This disagreement is crucial to the whole Central African problem.

The one clear African challenge in matters of race is the demand for the abolition of racial discrimination and the emergence of government by majority consent. It is not an improper and preposterous demand. The Liberal Party, the Labour Party, the Church of Scotland, the British Council of Churches, and other bodies in the British Isles and other major Western nations share similar views. The African demand in Central Africa receives the support of Africans in the rest of the continent, as the resolutions passed at the two Accra Conferences last year show beyond any shadow of doubt. The peoples of Africa seek acceptance and implementation of those values. For the European minorities to ignore this or to seek to meet it by half-measures renders African nationalism extreme and racist.

Discriminatory practices, and the almost complete lack of intercourse between the racial groups, constitute a most serious obstacle to mutual understanding and confidence which are the foundations of unity. Changes must be made. These cannot be achieved overnight, but they must now be seen as clear objectives of definite policy, negotiated between European and African leaders meeting as equals.

The web of discrimination

The colour bar must be eliminated. In its diverse and daily irritances and insults, the colour bar profoundly wounds and hampers the African, arousing bitter racial consciousness. As Guy Clutton – Brock's Chapter 14 shows, recent developments such as the abolition of separate entrances for Europeans and Africans in Post Offices, though welcome in themselves, only scratch the surface of the problem. There is still a bar against Africans using lifts in many public buildings, and against admission to European cinemas and restaurants. Countless things and places are still marked by the odious labels 'Europeans Only' or 'Natives'.

Education, supported by laws prohibiting discrimination on grounds of race, should be consciously designed to instil an egalitarian outlook and create a tradition of respect for persons and disregard of race differences. Of course you cannot *force*

people to like and respect each other. But this obvious truth does not justify government-sanctioned discriminatory practices which force people apart.

A statutory Commission, not a Bureau of Race Affairs at the beck and call of the government, should be instituted to deal with matters of race discrimination. Such a commission would be an independent body, insulated from government interference and removed from day-to-day politics. The officers serving on such a commission would need to be drawn from all racial communities, have security of tenure of office after the manner of judges, and be further provided with a constitution embodying their powers and mode of procedure. Such powers would not, of course, derogate from those of the ordinary courts.

Land reform

Land reform, spread over a period of time to avoid economic dislocation, is overdue in most of Central Africa. It cuts deep into the heart of the whole social and political system, particularly in Southern Rhodesia. The goal must be a fair and free system of land tenure which does not discriminate on grounds of race and which at the same time seeks to maintain a high rate of land utilisation and productivity.

This does not mean establishing a wholly unregulated system of land lease or sale. On the contrary, smallholdings and communally-held land will require protection against tempting take-over bids which would create a landless and jobless class of people. Speculation in land must be controlled. A limit is needed to the total acreage any one individual or company may hold. Large tracts of land presently owned by resident or absentee Europeans, which are not being fully farmed or otherwise exploited, must be bought back by the government and redistributed to capable farmers regardless of race. Equally, African land tenure must be encouraged to move away from unproductive forms of communal landownership to private or co-operative systems.

In all this it is necessary to avoid impositions and regimentations like those of the Native Land Husbandry Act in Southern Rhodesia. The people directly affected, particularly in the present African lands, need to be taken into confidence to work out more productive schemes, as the brilliant example of the St

Faith's experiment in co-operative farming shows. Bureaucratic centralisation, either in the Department of Lands or of Agriculture, or in a Department of Native Affairs, offers no solution. The right line of policy can often not be charted in advance; it must spring from the felt needs of the people moving forward with more of their own leadership, and that means *African* leadership and not only the leadership of European officers and Native Commissioners.

The main laws to be directly repealed or reformed are the Southern Rhodesian Land Apportionment Act, the Land Husbandry Act, and the Natives (Urban Areas) Accommodation and Registration Act, all of which are racially discriminating and restrictive in design and effect. In both Northern Rhodesia and Nyasaland the land laws need much less amendment since their central purpose is not racial discrimination but protection of Africans against land speculators. The Southern Rhodesian situation, however, where some 50,000 square miles are set aside for Africans as against some 76,000 square miles for Europeans,¹ and where this rigid geographical segregation is the basis of the whole social and political system of the territory, presents a most difficult task. But it is also the situation which most needs reform as it is the root cause of a deep-seated sense of injustice² among Africans.

Labour

As in the case of land, the immediate objective must be the removal of race discrimination, making the labour market free and competitive, and not the handmaid of a policy of minority domination. Africans need genuine freedom to become equal members of non-racial trade unions, not second-class members, as they seem intended to be under the new Southern Rhodesian Industrial Conciliation Act. Non-racial chambers of commerce

1. *Central African Territories: Comparative Survey of Native Policy*, 1951 (Cmd. 8235), pp. 40-42. The publication gives a thorough picture of the native policies in general and has an illuminating section on land policies.

2. There are other arguments for land reform in Central Africa. The East Africa Royal Commission, 1953-1955 (Cmd. 9475), which studied the problem of land in the British East African Territories of Kenya, Tanganyika and Uganda, strongly favoured reform designed to effect greater inter-racial penetration and interspersal as being among other things conducive to inter-racial harmony.

are also needed. Wage or salary differentials based solely on race differences and job reservation for Europeans must be abolished. The problem of migrant labour, which remains wasteful, unskilled and unreliable, requires to be tackled with a view to creating a stable, skilled and secure African labour force. Workers must be provided with permanent homes. Immigration must be selective, so as to exclude immigrants who would fill jobs which it would be possible to fill immediately or by reasonably short training from the local labour force, black or white. The present immigration policy of enlarging the European population for political reasons must be abandoned. It is also necessary to establish technical schools on a non-racial basis. The present policy duplicates facilities and perpetuates antagonistic racial attitudes.

Generally, reform must be directed at abolishing a labour system like that of Southern Rhodesia, which, to quote from a recent study by the *Economist*, relies 'on a small tightly-unionised white force which is monopolistic, restrictive, craft-minded and high-cost',¹ a system which uses both white skill and African labour wastefully and receives government support because that government is responsible to the small white minority.

Education

No system of education which is based on race segregation can contribute to the establishment of a united society. On the contrary, such a system perpetuates and accentuates existing attitudes and prejudices. It means in practice a distribution of facilities in favour of the ruling class. In none of the three territories of the Federation has segregated education provided the African population with facilities comparable to those obtaining for the European community.² The history of segre-

1. The *Economist*: 13 December 1958 (Special Issue, 'African Revolution').

2. In Southern Rhodesia European education alone is free and compulsory. The inequality is most glaring in secondary education. There are only two African secondary schools in the whole Federation (Goromonzi in Southern Rhodesia and Munali in Northern Rhodesia) which can provide Africans with the necessary Cambridge Senior Certificate to meet the entrance requirements of the University College. The Government Secondary School at Dedza, Nyasaland, will be the third. (There are other secondary schools, e.g. Kutama, St Augustine, but these do not meet the required standards.) One of the strongest condemnations of educational discrimination

gation in education in the United States is surely relevant. The 1954 decision of the U. S. Supreme Court against the doctrine of 'separate but equal' facilities was the culminating indictment of racial segregation in education. As the Court was at last driven to conclude, separate facilities in education are *inherently unequal*.

There were historically good reasons for segregated schools, reasons stemming from language differences and different cultural backgrounds. Some of these reasons may still hold, but it appears clear that they are now outweighed by those which call for integrated schools. It is high time to create new inter-racial schools and progressively to integrate all state-aided or state-operated schools and colleges. On the primary level of education, the initial gap between African and European children must be bridged. The main reasons for this gap are differing economic standards and home environments, unequal schooling facilities and curricula.

To argue for integration is not to argue for its taking place overnight, nor to overlook the financial and administrative problems. It is not to overlook European fears of falling standards either. Rather it is to point out the desired and inevitable goal and to insist on a beginning in that direction.

The declared *long-run objective* must be the establishment of an integrated system of free and compulsory education for all, regardless of race.

Local government

Nothing hard and fast can be suggested about the way local government should be evolved in Central Africa. Nevertheless, the aim must be to establish a representative and non-racial system of local government wherever possible, in both urban and rural areas.

Present practice is to administer African residential areas either directly from the central government or through a European-controlled municipal authority with the assistance of purely advisory native boards, for example, Harari African Township in Salisbury. This must give way, where there are

in Southern Rhodesia was made by the Roman Catholic Bishop of Umtali in his 1959 Pastoral Instruction, 'Purchased People', quoted in *Dissent*: 27 August 1959.

mixed populations, to integrated non-racial local authorities, or where there are unmixed racial communities, to genuinely representative local authorities for all of them.

In rural areas, local government reform fundamentally affects African customary law and practice, and the authority of Provincial and District Commissioners. As agents of the central government in each territory the Commissioners wield enormous quasi-legislative and judicial powers over and above their normal executive ones. Democratic local authorities, in any case genuinely *local* authorities, will certainly make the position of District Commissioners very different from what it is today.

'The District Commissioner is no longer a "father figure" . . . Sanders of the River must become the Clerk of the Rural District Council. . . . He must accept the fact that he is the servant of the advancement of Africans and of that cause alone . . .'¹

Overstayed paternalism must give way to an entirely new approach. The change has been made elsewhere and is known to give rise to many difficulties. But as Cmdr Fox-Pitt observes, 'the solvent is the passage of authority from the European to the Africans. The assumption of superiority passes very quickly and often painlessly, when effective power has gone.' For instance, he recalls 'how casually and almost contemptuously the Compound Managers (N. Rhodesia) used to give their instructions in 1946 to the "Boss boys" representing the interests of the unorganised African miners. Yet in 1951 the mine Managers themselves were sitting at round table conferences on terms of equality with the African leaders of the 35,000 strong African Mine Workers' Union and were making concessions in the face of a united threat of a stoppage.'²

What has been said of administrative officials is also largely true of technical and professional officers in their relations with African colleagues or juniors.

Resentment among Africans today against paternalistic bureaucracy and haughty attitudes in white-controlled administrations is widespread and growing. The tremendous importance and good work of European administrative and

1. Paper written by Cmdr T. S. L. Fox-Pitt, a former Provincial Commissioner in Northern Rhodesia for the Oxford Conference on Central Africa, April 1959.

2. *Ibid.*

technical officers must be recognised, but so must the need for these changes in their role and attitude.

Pass laws

These laws are notorious because they require Africans to carry identification and other passes within the territory of their birth and residence and thus severely restrict their freedom of movement. The penalties imposed for failure to carry such passes and produce them to the police on demand at any time constitute a most serious cause of African resentment and bitterness. By means of these passes Southern Rhodesia limits in effect the numbers of Africans entering urban areas – traditionally and legally ‘European Areas’. This is mainly done not so much to avoid urban overpopulation (why otherwise should Europeans not need passes also?) as to ensure a steady supply of cheap labour on European farms and, more and more in recent years, to ensure police control.

Reforms here must effect a simple and non-racial system of personal identification such as obtains in most civilised countries and allow free movement of persons to settle or seek work wherever they want, regardless of race or colour. The supply of labour should not be ensured by restrictive and racially discriminatory laws, but by the normal forces of a free competitive labour market; in rural areas European farmers must improve wages and working conditions to attract labour.

Rule of law

Finally, behind all these measures lies the all-important issue of the rule of law. Whatever may be said against African political movements, good government in Central Africa will never be secured by a resort to government by force. It is well for the European to stop and ponder. For what he does today may be perfected on him in turn by his present victims, who will have learnt the lessons from him. If he does not want this to happen – quite apart from considerations of simple morality and the code of civilised behaviour – he must reflect that the peace and security of his future lie in the strict observance of the requirements of the rule of law today.

Conclusions

It would be naïve to imagine that there are no serious obstacles in the way of the reforms suggested in this chapter. And there are other changes which have not been mentioned here but are overdue, e.g., in taxation, police and armed forces, and justice and the jury system. However, only a society so reformed can reasonably be expected to meet African aspirations; it is idle to think that the African will settle finally for anything less. The European, if he rejects these reforms, must brace himself for extreme and racist African nationalism, for complete separation and a bitter paralysis of tension and hatred still to come.

If these reforms cannot all be wrought overnight, at least some of them can, such as the abolition of the colour bar in public places and the creation of genuinely non-discriminatory labour laws and regulations. Others call for a carefully-planned and co-ordinated programme of change by stages over a period of time. This is true of land reform and education.

The last consideration should be that all these reforms are possible once people are really agreed on the objective of creating a society free of racial discrimination. The problems of how best to achieve the end then become manageable. Given an electorate and a government who desire that end, all these problems can be solved.

But does Central Africa have that electorate and that government? This is the crucial question. It is possible to evolve a non-racial, united, and progressive society in Central Africa in spite of, indeed partly because of, its varying racial strands. The Federation of the West Indies is an example, though not necessarily as a model, of how white people and black people can work together as equals. But is it possible within the framework of the present political and constitutional arrangements in Central Africa?

PART SEVEN

A New Deal

CHAPTER 16

THE CONSTITUTIONAL REVIEW AND BRITISH RESPONSIBILITIES

The Federal Constitution provides that not less than seven and not more than nine years after the coming into force of the Constitution there shall be a conference to review this Constitution. This conference is now due to take place in the autumn of 1960. The next two chapters will discuss what the British Government's policy at the conference should be. This one concerns the legal aspects of Britain's responsibilities, the composition and scope of the conference and the policies which Britain should follow before it meets.

Protectorate status and the early treaties

Britain's legal claim to general jurisdiction over Nyasaland and Northern Rhodesia does not rest upon any right of conquest. They are not colonies but protectorates, territories of which Britain, in 1891 and 1924 respectively, declared herself the protector. Before then British authority, or the authority of the several British chartered companies over many of the individual tribes, rested upon treaties signed with their chiefs. Making such treaties as these and declaring protectorates were devices widely used in Africa. By means of them, other foreign powers were excluded, and limited mining or trading interests were secured without committing Britain to the full responsibilities of government. Yet it is doubtful whether either the treaties or the protectorate status today legally limit the present exercise of power by Britain over these territories. The reasons for this are several.

With the one major exception of the Barotse Agreement the tribal treaties do not contain specific reciprocal undertakings. The following is a typical example of the form they often took :

That there shall be peace between the subjects of the Queen of England and our subjects. That British subjects shall have free access to all parts of our country and shall have the right to build houses and possess property according to the laws in force in this country; that they shall have full liberty to carry on such trade or manufacture as may be approved by Her Majesty; and should any difference or dispute arise between the aforesaid British subjects and us the said Chiefs as to any matter, that the dispute shall be referred to a duly authorised representative of Her Majesty, whose decision in the matter shall be binding and final. That we the said Chiefs will at no time whatever cede any of our territory to any other Power, or enter into any Agreement, Treaty or arrangement with any foreign Government except through and with the consent of the Government of Her Majesty the Queen of England.

Although it is clear that this treaty implies that Britain's jurisdiction over the tribe was relatively limited, it is not a formal exchange of promises and undertakings. These treaties were much more what John Dugdale has aptly called acts of unconditional trust. It would therefore be extremely difficult to prove legally that any government action involved a contravention of their terms, much though it might offend their spirit.

However, as a matter of law the question could not arise. Even where the treaties are specific and reciprocal, as in the case of the Barotse Agreement, no British court here or in a colony or protectorate would inquire into any alleged contravention of their terms. Such treaties are acts of state beyond the jurisdiction of any of Her Majesty's courts. Nor does protectorate status provide any legal safeguards for the African inhabitants. A series of decisions by the Judicial Committee of the Privy Council has established that under the Foreign Jurisdiction Act of 1890 Her Majesty's Government has a right to legislate in protectorates equivalent to that which she may exercise in colonies acquired by conquest.

What is true under British Law is also true, though for different legal reasons, under International Law. International Law has not recognised as heads of sovereign states the tribal chiefs who

ruled in Africa at the time of European penetration. They have therefore no *locus standi* and they cannot secure the enforcement of treaty obligations through any court which adjudicates cases of International Law.

All this does not mean that the treaties and protectorate status are unimportant politically and morally. Rather the reverse. The fact that they are legally unenforceable makes it all the more important that Britain should not now ignore them. To Africans, to world opinion and to her own people Britain has long claimed (and with good cause) to be a genuine protector of the Africans under her jurisdiction. A purely legal argument will be no defence if Britain breaks with this tradition and yields control over the two Protectorates to a local government controlled by a small white minority.

Article 73 of the United Nations Charter

In 1945 Great Britain, under Article 73 of the Charter of the United Nations, undertook the following obligations towards her colonial peoples:

To promote to the utmost the well-being of the inhabitants of these territories. . . . To ensure with due respect for the culture of the people concerned their political, economic, social and educational advancement, their just treatment and their protection against abuses;

To develop self-government, to take due account of the political aspirations of the peoples and to assist them in the progressive development of their free political institutions according to the particular circumstances of each territory and its peoples and the various stages of advancement.

Whether a particular government action constitutes a breach of these obligations is a question which could conceivably be referred to the International Court by a majority vote of the General Assembly. In 1953 the Northern Rhodesian African National Congress and the Nyasaland Chiefs canvassed the possibility of such a reference. Earl Jowitt mentioned the possibility sympathetically in the House of Lords and the suggestion was made in the House of Commons that Britain should herself secure a decision from the Court before proceeding to impose federation.

In fact no such legal action has occurred. One cannot predict what success it might have or what success there might be for a similar appeal against any new constitutional arrangements which may be made in the future. Britain would certainly deny the right of the General Assembly to discuss any such question. Moreover, even if the issue did manage to find its way before the International Court it is open to question whether the Court would accept it as a justiciable issue and hard to see how the Court could decide it. Article 73 of the Charter opens up unexplored aspects of International Law. The issues it raises are not really judicial. But even the possibility that Britain might be challenged in the General Assembly, perhaps by a fellow Commonwealth nation, is a sobering reminder of the sensitivity of world opinion about any attempt to secure permanent political superiority for a minority community in any colonial territory.

However, whether or not the matter is raised in the Assembly or the International Court is called upon to judge the issue, the obligations which Britain undertook under Article 73 remain. If federation were allowed to result in the Africans of either Northern Rhodesia or Nyasaland being placed under a minority European government that was not prepared to surrender its supremacy, then it would be a clear breach of our responsibilities under the United Nations Charter.

The Preamble to the Constitution

The most important of the legal and quasi-legal restraints on any British Government against making further constitutional concessions are those that were written into the Preamble to the Constitution. These are the two crucial sections:

whereas Northern Rhodesia and Nyasaland should continue, under the special protection of Her Majesty, to enjoy separate Governments for so long as their respective peoples so desire, those Governments remaining responsible (subject to the ultimate authority of Her Majesty's Government in the United Kingdom) for, in particular, the control of land in those territories, and for the local and territorial political advancement of the peoples thereof:

And whereas the association of the Colony and territories aforesaid in a Federation under Her Majesty's sovereignty, enjoying responsible government in accordance with this Constitution, would conduce to the security, advancement and welfare of all their

inhabitants, and in particular would foster partnership and co-operation between their inhabitants and enable the Federation, *when those inhabitants so desire*, to go forward with confidence towards the attainment of full membership of the Commonwealth.¹

Although these clauses are in the Preamble to the Constitution both sides of the House have accepted them as binding upon any British Government. Mr Lyttelton, the Secretary of State, was willing to underline their importance in no uncertain terms. 'They (i.e. the Federal Government) are frozen out of Dominion status until the Federal Government and the British Government are satisfied that there is a sufficient majority.'²

Rhodesian politicians, including Sir Roy Welensky, have nevertheless attempted to water down the significance of this Preamble. There are two possible ways in which its clear meaning could be subverted. One is to interpret 'the majority of the inhabitants' to mean only 'the majority of the voters' (i.e. effectively the local Europeans). The other is to find some formula which would retain the protectorate status as a legal fiction while in fact granting the full reality of independence to the Federal Government. Because both of these deceits are currently being canvassed it is worth recording that Mr Lyttelton himself rejected any such interpretation of the Preamble. After Mr Griffiths had urged that 'inhabitants means inhabitants without any qualification of colour, race or creed' Lyttelton replied:

By 'the majority of the people,' I agree, with the Right Hon. Gentleman that we mean the inhabitants which he said are the inhabitants. . . . Nothing short of that will enable any Government to approve of a scheme of amalgamation *or of a status which will end in Dominion status* without the agreement of the majority of the inhabitants. I give a categorical assurance about that.³

Three propositions can therefore be made concerning the Preamble

- (1) It has been accepted as binding by the Government.
- (2) It not only excludes Dominion status but also by accepted im-

1. My italics, C.P.

2. *Hansard*: 9 June 1951, col. 104.

3. *Ibid*, 24 June 1953, col. 1969. My italics, C.P.

plication, any subterfuge 'which will end in Dominion status' without the consent of the majority of the inhabitants.

- (3) 'The inhabitants' here referred to means just that: the African millions as well as the European tens of thousands.

The 'Conventions' of 1957

On 27 April 1957, after five days of discussions between Sir Roy Welensky and Mr Alan Lennox-Boyd, a joint announcement was issued by their two governments. It was evidently a political bargain, but a bargain in which the concessions were largely made by the British Government.

The Federal Government's concession was to agree that the Africans in Northern Rhodesia and Nyasaland, who are with few exceptions British Protected Persons rather than British subjects, should not for that reason alone be excluded from the Federal franchise.¹ It was in one sense a real concession for had voters been required to be British subjects Africans in the two Northern territories would have been virtually unenfranchised. However, in no other British protectorate would it even have been considered that the mass of the inhabitants, all British Protected Persons, should for that reason alone have no right to a vote. Yet to get the acceptance in the Federation of this, the normal view in other British protectorates, the British Government made several important concessions. For example, the Federal Government was to be entrusted with increased responsibility for external affairs. Although Sir Gilbert Rennie has recently rejected the suggestion by the Scottish Council on African Questions that this was any great concession, Sir Roy Welensky at the time was of a different view. *The Times* of 27 April 1957 reported him as stating that 'the entrustments now made are considerable and give the Federation the fullest practical independence in external affairs.'

Of more immediate importance is a further section of the announcement which records the acceptance by the British Government of a convention 'whereby the United Kingdom Government in practice does not initiate any legislation to amend or to repeal any Federal Act or to deal with any matter included within the competence of the Federal Legislature except at the request of the Federal Government.'

1. See pp. 116-17.

This presumably refers to matters of ordinary legislation and therefore, to quote Mr Lennox-Boyd 'it merely states the accepted practice'. Sir Roy Welensky, however, has been understood by some people to interpret it as referring to Britain's power to amend or repeal the 1953 Federation Order in Council itself. Without this power the British Government would of course enter the constitutional conference with much-weakened bargaining power and would seem to abjure its right, if the conference failed to reach agreement, to act independently as it might feel its responsibilities required. It was presumably for this reason that Mr Callaghan on behalf of the Labour Party declared categorically in November 1957 that a future Labour Government would not necessarily regard itself as bound by this declaration. Welensky was reported as saying on his return to Salisbury that

As a result of recent utterances by spokesmen of the British Labour Party the fear has grown up here that if returned to power the Labour Party would endeavour to inflict some of their half-baked ideas on us by legislative act. The convention rules this out.¹

It seems clear, however, that the 'legislative act' of the British Parliament envisaged here is one designed to make a law for the Federation under the existing federal constitution, a possibility which that constitution, like other Commonwealth constitutions, itself provides for in Article 29 (7). Legally, of course, no governmental convention can limit the future freedom of action of the British Parliament; and it also seems clear that no political limitations were intended by the Conservative Government either. Six days after the joint announcement James Callaghan asked the Secretary of State:

Is there anything in the agreement which has been reached with the Federal Government or anything in the impending legislation which will lessen the degree of protection which this House at this moment exercises in regard to African inhabitants of the Protectorates.

Mr Lennox-Boyd replied categorically: 'Nothing whatsoever, sir.' As the power to repeal or amend the 1953 Order in Council is an important final safeguard for Africans which the House

1. *The Times*: 29 April 1957.

possesses, this reply is important for it rejects the reading of the convention which has sometimes been attributed to Welensky.

The British Government must make it clear that if no agreement can be reached at the Constitutional Conference she will hold herself free to use her final constitutional power herself to make what changes seem essential. Certainly it would create a crisis, but it is hard to see how any British Government will be able to win the necessary reforms at the Conference unless this final power is held clearly in reserve. Its value will be not so much in any actual use of it but in the reinforcement which the preparedness to use it will give to British influence at the Conference.

The Constitutional Conference, 1960

Three separate questions must be answered about this Conference:

(1) When must it be held? The constitution requires only that it be held sometime between 1960 and 1962. The 1957 Agreement included an agreement that it would be held in 1960. It is right that this agreement should stand, *provided* that it is compatible with previous obligations. The point here again is that the keeping of the 1957 announcement is not the main obligation that must affect British policy in 1960.

(2) Who may attend? In recent months there has been an assumption that the 1960 Conference is to be a conference of governments. It is an assumption for which there is no justifying evidence. The constitution states clearly that 'there shall be convened a conference consisting of delegations from the Federation from each of the three territories and from the United Kingdom, chosen by their respective governments, for the purpose of reviewing this Constitution.'

It is therefore completely open to the governments of Northern Rhodesia and Nyasaland to select not only officials or men elected under the present narrow franchise but the major African political leaders as well¹. This is without doubt an important point. The fundamental objective in 1960 must be to win an agreement between the real political leaders of each race. It will not do to bring several unrepresentative Africans who owe their election to European votes.

1. See Mr Macleod's views in *Hansard*: 3 November 1959, cols. 692-3.

(3) What may it discuss?

The 1957 Agreement includes the statement that the Constitutional Conference will consider a programme for the attainment of such a status as would enable the Federation to become eligible for full membership of the Commonwealth.¹ This must not be taken too seriously. Our primary duty in this regard is to keep our clear promises given in the Preamble. There is nothing in the constitution itself which limits the scope of the Conference in any way. No restrictions have been specified about what it may consider or propose. It will, for example, be perfectly within its power to recommend immediate self-government or to judge the whole experiment a failure and to recommend a resumption by Britain of her full responsibilities.² Moreover, this constitutional review was accepted in 1953 as a further important safeguard, a last chance to correct and rectify the constitution if the high hopes and promises of federation proved unfulfilled. The Archbishop of Canterbury and the Moderators of the General Assembly of the Church of Scotland and of the Free Church Federal Council expressed this common assumption when they wrote:

We . . . welcome the provision in the federal scheme for a review of its working within nine years. It is claimed that experience of federation in action will prove its value to those who at present doubt the merits of the scheme. Whether this hope is fulfilled or not, a review must imply a genuine intention to make adjustments on the basis of all the evidence available.³

This was a view which the Secretary of State accepted and encouraged. In the debates in the House he presented the review as a further safeguard by which Britain could protect the interests of the two Protectorates.⁴

1. The full text of the joint announcement is reproduced in the pamphlet *Why Not Be Fair?* published by the High Commissioner for the Federation in London, 1959.

2. This was admitted in the House by the Secretary of State in 1953, though he was quick to deprecate any discussion of divorce proceedings while the marriage was being arranged, but see, contra, *Hansard*: 24 March 1953, col. 679.

3. In a letter to *The Times*: 4 March 1953.

4. See, for example, his interpolation during the speech of Mr Michael Stewart: *Hansard*: 4 May 1953.

Between now and the Constitutional Conference

The intentions of Sir Roy Welensky and the Federal Government have already been made clear. At the Conference they will be determined to secure a definite programme for the achievement of full independence for the Federal Government and its member territories under constitutions which, with the possible exception of Nyasaland's, will secure effective control to the European minority. Britain must herself exhibit an equally determined will to fulfil her obligations to the Protectorates.

Between now and the Conference there is much that can be done to strengthen Britain's position at the discussions. International opinion can be brought to have some influence, for most of the Commonwealth and the West generally would not approve of a permanent repression of African political aspirations in Central Africa. Constitutional changes can be introduced into Nyasaland and Northern Rhodesia *before* the Conference so that the governments of these territories will be more fully representative. It would be a valid ground for deferring the date of the Conference that such changes can only be satisfactorily made if there is more time available.

The Government must assure itself that the senior colonial officials in Northern Rhodesia and Nyasaland could be relied upon to apply effectively a more liberal policy. An Order in Council containing a Bill of Rights could be introduced to establish as an essential preliminary our determination to see that personal civil rights are secured to all. Finally, the territorial administrations of the two Protectorates and their police force can be strengthened so as to preclude the possibility of any unconstitutional act designed to present Britain with the accomplished fact of some sort of *coup d'état* on behalf of the European minority. Above all, between now and the Conference Britain should make it clear to everyone that it is its determined will to reach a settlement that will merit and win African consent as well as European consent.

THE WRONG ANSWERS

A large number of different policies for the future of Central Africa are being canvassed today. Some of these, which are powerfully backed by interested parties, must be unhesitatingly rejected.

Independence and 'Dominion Status' for the Federation

This is the goal of most Europeans in the Federation. Both the major political parties – the United Federal Party and the Dominion Party, Sir Roy Welensky no less than Mr Winston Field, have made the attainment of independence, or at least a definite programme for its early attainment, their objective in the constitutional review.¹ The overwhelmingly European electorate supports them. Indeed, no European leader can afford to overlook this desire and expect to remain in power. But independence for the Federation as envisaged by the European political leaders means independence on their terms, and not on the terms of the wishes and rights of the majority of the population. It implies:

- (a) assumption by the European-dominated Federal Government of all those powers over such matters as the conduct of foreign relations which Britain retains, and the abrogation of effective British responsibility for protecting Africans in Northern Rhodesia and Nyasaland and developing them towards democratic self-government;
- (b) establishment of a government under local European control in Northern Rhodesia and, perhaps, in Nyasaland;
- (c) entrenchment of a franchise system based on high means and education qualifications which only a very small minority of the

1. Sir Roy Welensky's formula is reported as being some immediate form of 'full independence for the Federal Government within its own sphere and equality in this respect with other members of the Commonwealth' while the Protectorate governments are becoming independent. (Salisbury *Evening Standard*: 28 July 1959.)

whole population – a predominantly European minority – can meet;

- (d) and, finally, the perpetuation of basic race discriminations in social and economic matters.

This policy means in practice the final rejection of liberal democracy in favour of a predominantly European oligarchy, with token African participation in government, and it implies a steadily increasing use of force to repress the African opposition which it would increasingly produce.

Independence with 'Safeguards' for the African majority

The idea that constitutional safeguards without effective political power can protect the rights of the African majority must be regarded as completely discredited.

The fate of the 'entrenched clauses' in the constitution of the Union of South Africa makes this clear. In South Africa the 'entrenched clauses' could be amended only by a two-thirds majority of both Houses of Parliament sitting together, a majority which the Nationalists did not have. To remove the Coloured voters from the roll in Cape Province they therefore passed two laws which, in effect, 'packed' the Senate (giving them a two-thirds majority of the combined Houses), *and* the Supreme Court of Appeal (so that it should not rule the Senate Act unconstitutional). For good measure, they passed a law forbidding the Supreme Court to rule on the constitutionality of an Act of Parliament in future.

It is, of course, possible to envisage an 'entrenchment' even more strongly framed than the one the Nationalists broke down in this way. Yet no constitutional provision can finally stand against a majority of an electorate determined to upset it.

This applies with equal force to the safeguard of a federal division of powers, for instance a constitutional allocation to a territorial government (responsible to Africans) of powers which would then be beyond the reach of the central government (responsible to Europeans). This too is a constitutional provision and constitutional provisions, even entrenched ones, can be amended.¹ In a word, constitutions depend on political power, not the other way round.

1. It is possible to envisage an absolute veto on constitutional amend-

There remains the kind of safeguard which, as in Central Africa so far, depends on the ultimate constitutional authority of the British Government or Parliament. This too has proved worthless. The 'reservation for the signification of Her Majesty's pleasure' of discriminatory legislation in Southern Rhodesia proved no obstacle whatever to the Land Apportionment Act and the Industrial Conciliation Act (to mention only the cornerstones of Southern Rhodesia's discriminatory legislation). This experience satisfied Huggins that such reservations were 'not worth the paper they are written on'. If further evidence were needed, it was provided by the destruction of the federal African Affairs Board's authority in 1957-8, and the passage of the Constitution Amendment Bill and the Federal Electoral Act. The moral barely needs to be pointed. No British Government has yet been willing to challenge the aims of a European-controlled government in Central Africa.

As for the idea that a treaty between an independent federation and Britain could provide a (safeguard as Lord Malvern and others have suggested) it commends itself precisely because of its extreme meaninglessness. To paraphrase Bentham, in Central Africa all 'safeguards' for *majority rights* under *minority rule* are nonsense; and a safeguard in a treaty is nonsense on stilts.

Final safeguard lost

A final safeguard that has been prominent in the 'black' African colonies has been the retention of important powers by British Overseas Service officials responsible to Parliament through the Secretary of State. This proved a safeguard of considerable value. It gave Britain a major share in forming policy while at the same time capable officials worked in genuine co-operation with the Africans who were later to replace them. In spite of criticism and normal frictions the device worked well. Unfortunately the opportunity of using it for the existing Federation has obviously already been lost.

ments residing in the hands of African-controlled territorial governments. Its success would in reality depend on the relative political strength of the central and local governments. In Central Africa however a division of power on these lines between governments so differently controlled is not in the realms of the practicable.

The Dominion Party plan – full apartheid in disguise?

The Dominion Party's plan for the future of Central Africa is as follows:

- (a) An independent federation consisting of a 'Dominion of Rhodesia', under white control, which would consist of Southern Rhodesia and those parts of Northern Rhodesia 'which are of major European interest and influence' (i.e. the main towns, mineral resources, roads, railways and the farming areas adjoining them); the Protectorates of Barotseland and Nyasaland (under the British Government); and the Northern Territory in north-east Northern Rhodesia (which would be governed directly by the Dominion of Rhodesia);
- (b) conclusion of a treaty (a 'Central African Alliance') between the Dominion and the British Government regarding the status of the Protectorates and their development and administration;
- (c) assumption of defence powers and the conduct of foreign relations by the Dominion;
- (d) agreement between the Dominion and the British Government regarding arrangements for the economic development of the Protectorates and the creation of a customs union;
- (e) adoption of a common roll by the Dominion of Rhodesia, with a high franchise – not lower than the upper bracket of the present federal franchise (i.e. annual income of £720 or possession of property valued at £1,500, plus literacy).

The objections to this are obvious and fundamental. It would create a European Dominion, richly endowed with natural wealth and highly industrialised with the help of cheap African labour, and surround it with subordinate territories condemned to the same impoverished fate as the High Commission Territories in South Africa. There would be no basis for any real economic development within the Protectorates, which could only serve as reservoirs of cheap labour. It is essentially the South African Bantustan plan of native development, based on *apartheid* and white supremacy.

Politically this plan might hope to divide Africans by offering Nyasaland and part of Northern Rhodesia more apparent autonomy from local white control, although Nyasaland Africans' reactions to it were hostile enough before their leaders were jailed. But even if it were successful in this it would hardly bring a lasting political peace. By cutting the wealth-producing

heart out of Northern Rhodesia and turning it and its African people over to a European-dominated 'greater Rhodesia' it would sow the seeds of an unappeasable irredentism.

In one form or another all these proposals entail a capitulation by Britain to the demands of the 290,000 whites living in Central Africa. Against each of them there are three final and conclusive objections:

- (1) The régime which they would make permanent is unjust.
- (2) They amount to an abdication by Britain of responsibilities towards five million Africans which would understandably ruin Britain's reputation for fair dealing with the African peoples whom she purports to protect.
- (3) They would not only be in clear contradiction with the great liberal tradition of British colonial policy. They would also flatly break the promise made in 1953 that the Federation would not move towards Dominion status until it was the wish of the majority of the inhabitants.

The maintenance of the Federation without constitutional changes at the centre

Some people who are anxious for a more liberal political settlement in Central Africa will feel that for the moment it will be sufficient to hold fast and prevent any further abdication of British responsibilities. Yet no liberal solution can really be achieved in this way. In the first place, this course of action is really a line of least resistance. It is true that the Federal Government and the white voters of Central Africa will react sharply if they are denied what they want. It is true that it will need a resolute British Government to achieve more than this. Yet lack of resolution will not produce a desirable solution, and in a few years' time Britain will scarcely be more likely to win the necessary changes which in 1960 she dared not demand.

But supposing that this standstill were accompanied by a rapid increase in African participation in the territorial governments of Northern Rhodesia and Nyasaland and a general programme of African social, educational and economic advance in these two protectorates? After extensive African advance in Nyasaland and Northern Rhodesia, would Britain not be in a stronger position to win the necessary constitutional changes in

the Federal sphere? This is a deceptively attractive view. It seems to offer the hope of liberalising first the protectorates, and ultimately all three territories, with a minimum of friction either now or later. Unfortunately it seems to rest on two fallacies:

(1) It is doubtful if the Colonial Office would be able really to press forward with rapid African political advance in Nyasaland and Northern Rhodesia as long as these two territories are in the Federation, with a federal government effectively responsible only to European settlers. The Colonial Office has had seven years already to do this and there is no doubt that African political progress has been a great deal slower in these territories than in any of the other British territories in Africa. Since 1951 Uganda and Tanganyika have each won a clear recognition that Africans will predominate amongst the unofficials in any future legislature and it is fair to say that a similar policy is bound soon to come in Kenya as well. Yet not even in Nyasaland, where the local settled European community is minute, has there been any official recognition that she must be primarily an African state.

What has at length been promised, after the Nyasaland crisis in the spring of 1959, is that both the Protectorates will move 'as soon as possible and as rapidly as possible'¹ towards self-government and that, in Lord Home's words,

as power is transferred from the British Government in respect of the Northern Territories it will be transferred not to the Federal Government but to the Governments of the two Northern Territories which will progressively become more and more representative of Africans until they have African majorities.²

At the same time, however, the Nyasaland Government has indicated its intention of introducing a 'non-racial' franchise which 'is bound in time to result in very many more Africans being eligible to have the vote than other races' but under which candidates will 'have to pay regard to the interests of the voters of other races'.³ In the light of what a 'non-racial' franchise of this sort has meant in Northern Rhodesia, Lord Home's statement becomes severely ambiguous when taken in conjunction with

1. The British Prime Minister: *Hansard*: 22 July 1959, col. 1311.

2. House of Lords *Hansard*: 27 July 1959, col. 596.

3. Government statement issued in Blantyre, printed in *The Times*: 25 August 1959.

that of the Nyasaland Government. The narrow legal meaning of words has played a part in previous misunderstandings in Central Africa. It is clearly possible to interpret this undertaking as meaning that power will be transferred to the Protectorate governments *before* they actually get African majorities and of course once power is transferred the British Government cannot ensure that an African majority will inherit the legacy. 'African majority, is also an ambiguous term, not necessarily meaning a majority of genuine representatives of Africans in the legislature; and after a violent attack from Mr Roberts, a leading unofficial member of the Northern Rhodesian Legislative Council, Lord Home issued a 'clarifying statement' in which he said that he had meant that 'as more and more Africans qualify for the franchise the time will come when the Africans will numerically be in a majority on the voters' roll, though, of course, when that time comes they should be voting entirely on party lines. . . . Certainly non-racial politics must be the goal of all of us.'² It is, in fact, very hard to imagine that a policy of genuine African majorities first, and transfer of power afterwards, will be endorsed by the European voters and Sir Roy Welensky.

(2) Even if a policy of real African advance in the Protectorates could be pursued vigorously it would be unlikely to placate African political hostility to federation, for it would not involve any change in the racial balance of power in the much more important central government. However, it would greatly intensify the opposition of the Federal Government to the British connection. Indeed any attempt to shift the political balance in Africans' favour in Northern Rhodesia would certainly cause a major crisis with the Federal Government. It is really not possible to visualise a federation in which two of its territories would have a genuinely representative franchise while the Federal and Southern Rhodesian franchise was dominated by the European minority. Thus maintaining the *status quo* – if it did lead to a fundamental liberalisation within the Protectorates, which is in any case unlikely – would lead to an inherently unstable political situation. With each passing month African nationalist feeling is likely to be stronger and more intense while European

1. See e.g. p. 36.

2. *The Observer*: 30 August 1959.

fears mount and the attitude of their politicians grows more rigid. Time is not on the side of a peaceful settlement in Central Africa. Each postponement of resolute British action only makes the problems more intractable and the prospects more depressing. We cannot avoid the conclusion that 1960 is Britain's last chance to rectify the mistake of 1953 and to give an effective re-direction to political development.

There is, finally, the idea of secession from the Federation for Nyasaland alone. As to this, the fact is that our obligations towards the Africans of each of the Protectorates are identical. It cannot be right morally (nor would it necessarily produce a lasting settlement politically) to separate Nyasaland from the Federation because it is poor and has a minute European population but to commit Northern Rhodesia to permanent European rule because it is rich, has a 70,000 European minority and because *so far* it has not passed through the same violent symptoms of the tensions which are building up in it as has Nyasaland.

CHAPTER 18

THE ESSENTIALS OF A NEW DEAL

The Constitutional Conference is Britain's last chance to intervene decisively in Central Africa. What happens after that will be determined by the balance of forces in Central Africa and therefore the guiding new principle of policy must be to make the government responsive to the needs and aspirations of the people as a whole, not of a minority race only.

The protection of the ballot-box

This means, in effect, that the Africans must be left securely in a position to defend themselves; the ballot-box must replace the Colonial Office as their protector if good government is to have any chance of being achieved. Experience has shown that there is simply no other device on which they can rely.

What does this mean in practice?

For the moment, the problem is to find the minimum that will

suffice. The essential minimum which will meet the case in 1960 is that there should *initially* be as many Africans as Europeans on the Federal roll. Fewer African voters will not produce a government responsive to Africans in Central Africa. Fifty per cent is not an arbitrary figure. There are two reasons why no less will do.

It might be thought that, say, one-third of the votes would be enough to protect the Africans. But in 1956 the Asians in one of the territorial constituencies in Nyasaland had one-third of the votes; and rather than risk the election of a non-European, one European candidate was left unopposed by his local rivals for the seat. Less than parity for Africans would be likely to lead to similar pressures to exclude African representation. Thus only fifty per cent of the votes will assure the security of the Africans' political position. This is one way in which it is a minimum.

Secondly, fifty per cent is the minimum which Africans themselves might possibly be induced to accept. It is not at all certain that they would accept it. (What is certain is that they would not accept less, because they are well aware that no less will give them protection.) For a limited and unequal franchise such as this – fifty per cent of the votes for ninety-five per cent of the population – to have any chance of being accepted by the Africans, it must clearly be recognised as transitional, yielding ultimately to a clear majority of African voters.¹

How long the transitional period should be is a matter for negotiation. But the Africans will clearly not accept a denial of full control as permanent. In almost every other territory British policy has been one of gradual evolution towards full self-government. Special transitional arrangements can be justified on many grounds where there are settled white minorities, but if Africans are to accept them, the fact that they are transitional must be made clear.

Equality of African and European voters is very far indeed from universal or even manhood suffrage. The number of Africans who would be initially enfranchised would be perhaps 100,000, fewer than one in fifteen of the adult male population and a great deal fewer as a proportion of the total population than the electorate in England before the Reform Bill of 1832. Many people believe that there are no convincing grounds for

1. In Nyasaland and Northern Rhodesia African majorities on the territorial rolls are plainly needed more immediately.

withholding the vote from the masses in countries like Central Africa, and that people without formal education vote in practice shrewdly and even conservatively in their own interests. People who think this may object that there is no justification for stopping short at mere equality of African and European voters, even as a transitional arrangement. However, our problem is simply to establish the minimum changes necessary to make government responsive to the needs of the people as a whole and for that an initial parity on the electoral roll should suffice.

Others will have an opposite reaction. They may admit that the only secure protection left to the Africans after 1960 will be in the ballot-box, and that a transitional equality of African and European voters is the minimum which will provide this protection. But, they may ask, will this really secure *good government*? Are these things compatible? Would electoral parity – precisely because it *would* make the government genuinely responsive to Africans, not lead to drastic changes in the quality and character of government, which we have ignored?

This is a serious objection. It is essential to face the full possibilities frankly. And while a transitional franchise such as this would make possible and effective several powerful safeguards against undesirable changes, which are discussed in the last section of this chapter, we should be prepared for changes, bad as well as good.

The society which must be expected to emerge when there is substantial governmental responsibility to the Africans will not be just like that of Britain or the USA – any more than the régime established by the settlers resembles these. It will have an individual character of its own. Some features may well be unattractive. There will be an inevitable lack of experience among the Africans in the parliament and cabinet and some dilution of skills in the higher administration while it undergoes its initial phase of africanisation. These things can be exaggerated, but to some extent they are implicit in any move towards admitting Africans into the positions of responsibility hitherto exclusively occupied by settlers and colonial civil servants. Other developments are also possible (though far from inevitable). Misappropriation of public funds by political leaders or officials, bribery, direct or indirect, or even disregard for civil liberties

(European or African) and interference with judicial independence are all possible.

All these things are recorded for one or another state emerging into full self-government in West Africa and in other parts of the world, just as they have occurred in Britain and the USA in the past. It is even doubtful whether the full meaning of democracy can be learned by a people without any such experiences, although in reducing their extent and impact the presence of a substantial British immigrant community offers Central Africa very great advantages.

But it is not realistic or honest to argue that because of such possibilities or risks the government should not be made effectively responsive to Africans. In Central Africa it has to be recognised that the range of choice has by now become very limited. The choice is no longer between a policy attended by risks of this kind, and one which leads to a liberal, equal, free and honest British-type régime. The alternative is a minority régime which has already largely destroyed the rule of law and is developing into a system of repression in order to bolster up its power and the apparatus of discrimination on which the position of the minority depend.

What is more, as the challenge of African organisation has developed in the years since federation the tempo of repression has risen rapidly. The passage of one measure after another has curtailed liberties and enlarged the government's control of physical force. All the time the party in opposition presses for still stronger measures, forcing governments to treat as 'emergencies' a steadily widening range of incidents, from riots, to strikes, to merely threatened strikes, and so on. At length even the standards of the European-manned civil service and judiciary – their impartiality, honesty and skill – are likely to be destroyed in this process. These virtues depend on an ethic of service to the majority of the community and soon disappear if the administration's main function is to apply discriminatory and repressive laws.¹

But the real case for insisting on a government responsive to Africans is a positive one. African political aspirations may well

1. This is illustrated most clearly in South Africa: see E. H. Brookes and J. B. Macaulay, *Civil Liberty in South Africa*, Chapters 2, 3, 4 and 12: London, 1959.

be at present deeply emotional and pay too little regard to any of the liberal-democratic principles except the principle that the government should be responsible to the majority. Yet these aspirations are real and intense. They express a fundamental human need for self-respect, which has gripped Africans over the whole continent. Their horizon is suddenly that of a world in which they must walk as equals. This complicated awakening has come with extraordinary speed and is felt in many highly confused ways, but its whole explosive force is now concentrated in the sharp focus of the demand for self-rule.

In this there is a great reserve of energy, enthusiasm and creativeness. But people who think that this reserve can be tapped first, and that political aspirations can be met later, do not understand what is happening. The two things are inseparable, and to block the way to self-rule means in practice damming up these forces until they take violent forms. Disturbances are already growing more and more frequent, and the response of the government is already to grow more and more despotic. Beside this alternative, the risks involved in a government responsive to African aspirations are so much less important, and the potential rewards are incalculably great.

Further necessary changes in the present Federal Constitution

Within the framework of this fundamental reform various other changes to the present Federal constitution are needed as an integral part of any acceptable settlement.

(i) Territorial representation

Under the present Constitution territorial representation in the Federal Assembly bears no relation to territorial populations. Thus, Southern Rhodesia with a total population of 2,500,000 has 29 representatives, while Northern Rhodesia with a total population of 2,200,000 has only 19, and Nyasaland with a total population of 2,700,000 had only 11. Moreover, the ratios do not reflect territorial economic contributions. If they did, Northern Rhodesia, which contributes immensely to the Federal Government budget through its copper revenues and which has a total population only just smaller than Southern Rhodesia's would presumably have rather more representation than the latter.

If in each case we subtract the members who are elected or appointed for African interests (i.e. four Africans and one European from each territory), we find that Southern Rhodesia with a European population of 180,000 has 24 representatives – all European (though not constitutionally specified by race) and elected by the overwhelmingly European electorate.¹ Northern Rhodesia, with a European population of 70,000 has 14 European representatives; and Nyasaland with a European population of 7,000 has 6.

The truth would seem to be that the distribution of seats mainly reflects the balance of European populations and a bargain struck between the political leaders of the three European communities. This cannot be justified. Territorial representation in the Federal Assembly needs to be based on considerations of total territorial populations and economic contribution.

(ii) *Amending power*

Again, if the federal system is to be compatible with good government, the process of amending the Federal constitution must be carefully reviewed. Article 97 of the constitution empowers the Federal Government to amend the constitution by a two-thirds majority vote of the Federal Assembly, provided that the Governor-General shall not give assent but refer any such amendment to the British Government for Royal Assent. Article 98 requires amendments, if made within ten years from the date of the constitution coming into effect (1953), to be approved by resolutions of territorial legislatures. Presumably after the stipulated period of ten years has expired, the provision of Article 98 would be inoperative and then a two-thirds majority of the Federal House could effect unilateral constitutional amendments. There is a real and obvious danger in this.

Whatever amending device is used, the federal and territorial governments must be co-ordinate with one another. The amending powers and processes of federations like the United States of America and Australia offer useful models of how territorial rights can be safeguarded, while yet providing for the possibility

1. The Federal electorate (General Roll) is, in round numbers, 91,000 strong, of whom fewer than 2,000 are Africans (*Federal Newsletter*, No. 19/59, Annexure No. 1: 15 May 1959).

of change when its necessity is widely recognised.

(iii) *Division of powers*

Another essential change concerns the division of certain powers between the federal and the territorial governments on purely racial lines. For example, European primary and secondary education falls under the federal legislative list (Second Schedule, Part I, Item 30). Likewise, European agriculture in Southern Rhodesia was made federal from the beginning (Item 24), and there is provision for extending federal power over European agriculture in the other territories.¹ European agriculture in Northern Rhodesia has since been federalised and there were moves, before the emergency, to do the same with European agriculture in Nyasaland. On the other hand, African education, excepting higher education, and African agriculture are both territorial matters.

Although this division was made to protect Africans in the northern territories, it nevertheless serves to keep alive racial issues and results in differential facilities being accorded to the different communities. Provided that both the federal and territorial governments are made responsive to the people as a whole, the reasons which originally led to this type of division of powers would no longer be valid. Whether the decision is to make these matters and others fall within federal or territorial jurisdiction would not much matter. What must be avoided is racial discrimination of any kind in the division of powers.

Another aspect of the division of powers also needs to be considered. In 1953, as pages 25-7 above show, local European pressure led to the Federal Government being given a much wider range of powers than most federal states find desirable. Some change is also needed here.

(iv) *Inter-territorial movement of persons*

There must be one common citizenship throughout the whole federation, as there is, for instance, in the older federations like the United States of America, Canada, and Australia. *All* the inhabitants of the three territories must be accorded full freedom of movement in any federal union and the right to seek work or

1. *Federal Constitution*, Article 31, and Second Schedule Part II, Item 58.

settle or engage in any lawful pursuit whatsoever in any of the three territories. The power to control the voluntary inter-territorial movement of persons¹, so far applied only against Africans, makes a mockery of federal citizenship, and should go.²

(v) *Minority safeguards*

Once the government is made responsive to the people as a whole, the role of safeguards takes on a fresh validity, this time to protect the legitimate interests of the *minority*. Special constitutional arrangements can be devised to do this and they can be defended in bold terms. Much that these special arrangements would seek to safeguard, political stability and judicial and administrative standards for example, are clearly in the interests of the African majority as well as the European minority. The over-representation of the white minority for a transitional period can also be defended in the same terms, for it is in no one's interests to have a racial struggle in Central Africa. It is everyone's concern to find the political basis for a lasting reconciliation.

In recent years the Colonial Office has supervised the achievement of self-government in many territories in both Asia and Africa, many of them including large illiterate majorities and some, such as Malaya and Ceylon, with internal communal differences every bit as severe as in the Federation. In their constitutions, and in those of such colonial territories as Kenya, Tanganyika and Cyprus, there has been a flexibility and an experimentation which provide a wide range of suggestions of how in Central Africa a major share of political power can be transferred to Africans with the least risk of corruption, falling administrative or judicial standards, or of any attempt to oppress the European minority.

A Civil Service Commission, for example, is an obvious and well-tried technique. The present Federal Public Service Commission could well be reinforced for this purpose. Staffed with men of some distinction, it could be an important obstacle to the intrusion of nepotism and political appointments into a civil

1. See p. 127.

2. According to the Constitution (Second Schedule, Part II, Item 47, and Article 29 [3]), this power belongs to the Concurrent List, but so far it has been used exclusively by territorial governments.

service. Its independence, terms of appointment, rules of procedure and the directives which it is to follow may all be made explicit provisions of the constitution. A similar Commission can be established with authority over the judiciary.

Another device is a Constitutional Bill of Rights to give judicial protection to the personal liberties of the subject. The Judicial Committee of the Privy Council or the Supreme Court in Central Africa could be the last court of appeal for such cases. In addition specific types of abuse of power can be rendered unconstitutional, such as legislation imposing duties or obligations that discriminate between the different racial groups, or the expropriation of property without compensation or for the purpose of transferring it to the ownership of a member of a different race. Constitutional amendment of these provisions can also be made specially difficult.

But too much must not be expected of such safeguards, which, as we have seen, can be rendered ineffective by a determined government with a secure majority in the legislature.¹ This does not mean that they are quite worthless. If the basic conventions and values of stable democratic government are clearly stated in the constitution, this can make an important contribution towards getting them accepted, as American experience shows. The legal obstacles which they provide, though not insurmountable, certainly make it more difficult for the entrenched practices and the protected liberties to be abused.

Yet, as Africans have recently learnt to their cost, the only real guarantee that constitutional safeguards will be respected is that the minority whose rights are being protected has a large share of the voters' roll. The important thing is that the *political* risks of any assault upon them should be great.

The European section of the population is too small to make a great over-representation of Europeans permanently possible or desirable. But the transitional parity of white and black voters which is the minimum amount of African representation needed to make the government responsive to Africans *would* also provide outstanding electoral security for constitutional safeguards to protect European minority rights. The balance of governmental responsibility would be shifted decisively away from its dependence on Europeans alone. But Europeans would

1. See p. 193. Ghana has illustrated the same point recently.

retain, for the vital re-adjustment period, a solid electoral protection of constitutionally-entrenched rights.

There are still further advantages which such a transitional franchise offers. The device of two-member constituencies might be used, at least for some seats, in which each voter must cast two votes, one for an African and one for a European. This idea has worked with great success to produce inter-racial reconciliation in Tanganyika. There would also be a valuable interim period in which to build up the experienced cadre of African civil servants, technicians, professional men, parliamentarians and trade-unionists which is needed before a wider franchise can properly achieve all the objectives of good government. Finally it might promote the development of genuine multi-racial political parties.

This has been widely recognised as a desirable object of a transitional franchise, not least by the Tredgold Commission which investigated the franchise in Southern Rhodesia. However, the arguments in that report and elsewhere about the 'standard of civilisation' which a man must reach before he is fit to vote, evade the real point at issue. The real threat to good government is that one racial group, out of fear and hostility, will attempt to suppress the other. This fear and hostility have little connection with income and education. The European is as susceptible to it as the African. The literate artisan is as likely to be racist as the illiterate tribesman. If a franchise is wanted which will encourage people of both races to think co-operatively, stop being afraid and grow out of hostilities, it must be framed in terms not of voting qualifications but *numbers*. As others have said, 'There is only one satisfactory solution for East and Central Africa: the races must learn to live with each other on terms of equality and those minorities who cannot bear this must leave.'¹ Of course no electoral system can assure that the races will learn. But perhaps more than any other franchise an initial parity of numbers on a common roll is likely to stimulate the growth of genuine multi-racial parties and alliances.

(vi) *The British connection*

One last and most important form of protection for the

1. Legum, Scott, Lewis and Wight: *Attitude to Africa*: Penguin Books, 1951.

minority, and of assistance to the country, should be the continuation and even strengthening of the British connection.

If the Africans in the two Protectorates had not been brought against their will under the rule of a settler-controlled federal government, African nationalism would not have developed as swiftly nor with the same hostility. There would have been both more time and a better political climate in which to transfer power locally and to train the men and women who will be needed. As it is, only a major change in the basis of government now has any chance of repairing the damage to the trust which Africans once had in their British protectors. But once the change is made, the British connection should continue unimpaired during the transitional period. If the two northern territories retain their status as British Protectorates an exodus of British Overseas Service officers would be unlikely and recruitment in the United Kingdom could continue for many posts that cannot yet be filled locally. Administrative and technical standards would be largely maintained and time would be gained for the further training and education of Africans before the territories become independent.

The political importance of maintaining the British connection is equally great. It would mean that such key ministries in the two northern territories as the Chief Secretary and the Financial Secretary might remain initially in the hands of British Overseas Service officers and that a strong 'official' element could remain in their Legislative Councils. This degree of official control could not be expected to last for long. But it would provide an important stabilising and reconciling influence during the crucial transitional years in which the political leaders of both races must work out a new way of living together.

The prospects of agreement

These changes are not impracticable ideals and they do not leave any room for compromise. Their cornerstone is that the government should become effectively responsible to Africans as well as to the European minority, before British power to redirect the course of events finally disappears. In the light of what federation has actually meant this is surely the only basis on which liberal-minded people can support its continuation.

But it is obvious that the prospect of achieving this 'new deal'

for the federation is in fact slim. African support for such a settlement cannot be counted on although their co-operation might even now be won. To the Europeans it offers minority rights and safeguards on a scale for which there can be few precedents and a great creative role to play in co-operation with the African majority, against an alternative of steadily increasing tension, violence and repression. The primary aim of policy should be to convince the European leaders of the necessity of coming to terms with the Africans' leaders, and to use every means to induce both sides to agree on the minimum changes outlined above. Yet unhappily only extreme optimists will regard the agreement of Sir Roy Welensky and other European leaders as likely and many people will probably object that to aim at such a 'new deal' for the government of the Federation is not a realistic policy.

The alternative

In that event it is clear that Britain would have no alternative but to resume full powers of government in order to carry out the essential changes in the two Protectorates alone where her legal and moral responsibility is inescapable. This would mean the end of the Federation in its present shape, although there is no reason why important links between Northern Rhodesia and Nyasaland should not remain, so that among other things Northern Rhodesian copper revenue might be used to help make a real break-through in the poverty of both territories, to the mutual advantage of both.

There are two main objections to this course, which otherwise seems inescapably dictated by Britain's responsibilities if it should prove impossible to reconstruct the federation as it exists now. One is that it would mean abandoning the Africans of Southern Rhodesia to domination by the European minority, and perhaps to full *apartheid* should the Europeans seek some form of closer association with South Africa.¹ The other is that

1. The Southern Rhodesian Prime Minister, Sir Edgar Whitehead, did not however envisage the latter possibility when he spoke in the Southern Rhodesian Assembly of the possibility of Southern Rhodesia's 'going it alone' if the Federation were denied independence (reported in the *Federal Newsletter*, 7 August 1959). On the contrary he regarded it as possible, although difficult, for Southern Rhodesia to survive a period of economic readjustment and remain independent.

while little resistance might be offered to a determined British Government over Nyasaland there would be strong resistance over Northern Rhodesia. However, neither of these objections is valid.

Britain undoubtedly has moral obligations towards the Africans of Southern Rhodesia, but since 1923, when Responsible Government was granted to the settled European minority, Britain has had no power to fulfil these obligations. To some people federation seemed like a means of indirectly regaining some of this power, but this has proved to be an illusion and the argument that, given time, the 'experiment in partnership' will ultimately succeed is no longer tenable either. All the evidence is that as time passes the situation in an unreconstructed federation is growing worse. The Africans in Southern Rhodesia have gained some advances which they might not have gained without federation, although there is no way of being certain of this. On the other hand there has been a serious deterioration in race relations, signalled in Southern Rhodesia by the emergency and emergency legislation of 1959, which Southern Rhodesia might well have avoided but for the great impulse given to race hostility by forcing federation on the more independent and politically advanced Africans of the protectorates. But the real issue for Britain as protector of Northern Rhodesia and Nyasaland is the cost for these territories of any gains which federation may have brought or might still bring¹ to Africans in Southern Rhodesia; the loss of effective British protection, the sealing off of the path to self-government, racial embitterment and the progressive growth of repression.

The question of European resistance over Northern Rhodesia, on the other hand, is a delicate matter of power relationships which should nevertheless be discussed frankly because Sir Roy Welensky has talked freely of 'going it alone'.² For a number of reasons which have been minimised by Sir Roy such implied threats are to a large extent empty. The European community of

1. It is at least arguable that *with independence* an unreformed Federation would have lost the chief incentive which has led Southern Rhodesian governments to make concessions to African aspirations, i.e. the desire to gain independence by winning support in governing circles in Britain.

2. Particularly in a statement made on 4 April 1959 reported in the *Federation Newsletter* of 17 April 1959.

Northern Rhodesia is much more dependent on African good will than it has yet realised. The livelihood of the great majority depends directly or indirectly on copper production which in the 1955 strike the Africans showed themselves capable of paralysing and in general a great deal of European intransigence in opposing African aspirations in the past has been due to confidence that the government would always give in to them rather than to the Africans. The declared determination of the government to implement a radical change of policy would itself do very much to bring about a more flexible and co-operative atmosphere.

This does not necessarily apply, however, to the Europeans of Southern Rhodesia or to the Federal Government itself, and it may be argued that in his references to 'going it alone' the Federal Prime Minister must be understood as alluding to possible intervention by the Federation's 'little Army' of whose existence Lord Malvern perhaps unwisely chose to remind the House of Lords.¹ As to this there is little to say here. Such an argument envisages the possibility of an unconstitutional act of aggression and it is not difficult to imagine how easily a determined British Government could mobilise such powerful forces of opinion in the United Nations and the Commonwealth that the Federal Government would be obliged to regard such a course as unthinkable.

But in any case the issue at stake and the lengths to which Britain should be prepared to go in fulfilling her responsibilities must be set in a world perspective. The issue is one of fundamental human rights and to most of the world it is, as it should be to us, a very clear issue on which Britain and to some extent the West as a whole is being judged. It is our 'Little Rock'. Let us hope that it will be faced by the British Government with as much courage and honour.

1. House of Lords *Hansard*: 24 March 1959, col. 260.

A P P E N D I X

It is sometimes claimed that 'unscrambling' the federation, if a 'new deal' in its structure cannot be brought about, is impossible. A 'new deal' for the Protectorates alone would certainly raise problems but the notion that it would be administratively impossible is absurd. Administration is not like an egg. The Indian Civil Service was 'unscrambled' and many similar examples could be given.

The administrative consequences of a British resumption of full powers in Northern Rhodesia and Nyasaland may be put in perspective by a brief review of the main problems.

The recruitment of European officials

The change would not come with the sudden announcement of an act of liberation. There would be a reversion to what many will expect to be the old order. Only gradually would it be found to be different. The officials who are now holding office all over Northern Rhodesia and Nyasaland would not be presented with an immediate problem. They are almost all Colonial Office civil servants of the newly formed Overseas Service. Their terms of service and prospects of promotion will remain unaltered.

A number of officials have transferred to the Federal service as their departments were taken over by the Federal Government. The biggest section were in the Medical Service, and the Prison Service is another large section. For these the field of service will be narrowed and men who have become accustomed after transfer from the Protectorates to Southern Rhodesian areas with bigger European populations and more European amenities may be reluctant to sign on again for service 'in the wilds'. There would be compensations for reversion to Colonial Office service. Home leave would be one of the greatest. It might also be a relief to some not to be under 'settler' rule with its arbitrary decisions and discriminating racial policies. Some will have found that loyalty to the Federal state has put a great strain on them or indeed is not honestly possible.

There are also a number of Colonial Office civil servants who have been released recently from Ghana and Nigeria, and others who have served in the Sudan are available too.

If there were a shortage it would be a good opportunity to train and give experience to the officials of the new United Nations International Administrative Service. They would relieve a possible shortage of the additional Secretariat officers who would be needed as the two Protectorates resumed responsibility for the departments that had become federal.

There were in February 1958 700 officers in the Federal service who were seconded from the territorial civil services (Federal press statement, 7 February 1958). This number has probably been reduced as territorial officers take their free passages to England and their outstanding vacation leave. It is after that, when they have said good-bye for ever to Britain and the British way of life that they 'go Federal', as it is called, and try to condition themselves to new loyalties. Three thousand territorial public servants had transferred to the Federal service by the beginning of 1958 and the original reluctance was passing and the speed of transfer increasing (*Rhodesia Herald*, 30 August 1957). In September 1958 (Federal press statement, 5 September 1958) 1,356 African civil servants, although seconded to the Federation, remained in the territorial services. These European and African intransigents are the 'hard core' of the resistance.

The use of European women in the Central African civil services is an important means of filling secretarial posts. There were 4,600 in the Federal Service in November 1958 of whom 2,300 were married women (Federal press statement, 19 November 1958). It is women married to territorial officers who would need to be relied on to fill up any post-Federation gaps. It would not matter very much if there were not as many as there have been. Once there are Africans in the Executive Council the arguments behind the policy of government in its higher offices need no longer be kept a secret from all Africans and the European confidential woman clerk will not be so necessary. The employment of European women for all senior clerical appointments is resented by the senior African clerks, with some reason.

African participation in administration

Are there likely to be enough Africans with anything like the

educational standards required for the places assigned to them?

The secondary schools of Northern Rhodesia and Nyasaland are said to produce annually 250 pupils, mostly men, at something like the British G. C. E. 'Ordinary' level standard. A number reach the 'Advanced' level standard which is the entrance requirement for the University College in Salisbury. By 1960 or 1961 there should be twenty Africans with degrees available for employment each year, but not all will be prepared to enter politics or the civil service. It would therefore seem that the great part of the civil service and the ranks of African political parties at local and central levels would have to be made up from men whose education ceased when they passed out of secondary school. Many Europeans who have made a mark in politics and most of the Executive class who form the backbone of the British Civil Service have had no full-time education after secondary school, but they have all had available to them a system of night classes and adult education, vacation course and summer schools, that has in many cases directed their reading and carried on their effective education for some years. If the transfer of authority to Africans is to come smoothly something like this system must be made available for Africans in all big centres of population.

In addition there should be a system of *ad hoc* training to fit men for specific jobs in the civil service. War experience in the services showed that men could do a single line of work, even if it was extremely complex and advanced, without a wide general education. The necessary scientific knowledge could be fined down to a narrow line of requirement for one single purpose and an effective operator created from a man or woman with limited education. The same could be done to bring Africans with secondary school education into the technical ranks of the civil service and to produce trade-union administrators and co-operative-society organisers.

These people are essential for a modern form of society. For a long time to come there will not be enough with formal educational qualifications to take on the work without extra training. Training will need to be given *ad hoc* for each set of jobs as the need arises.

This intensive training would have to be undertaken by the Protectorate governments. They might call on the services of

private firms, e.g. firms like Pitmans, for the technical side of clerical training; but adaptation to departmental needs would have to be taught by seconded departmental officers.

About ten years ago the Government of Northern Rhodesia established a school for Native Authorities. The pupils are the chiefs, councillors and the clerks and staffs of the Native Authorities. In spite of the fact that the 'students' range from the absolutely illiterate old chiefs to men with full secondary school education, it has been possible by grading and selection to improve the whole standard of local government administration very considerably since its work began.

The Police

In the Southern Rhodesian Police, still called the British South Africa Police, there were in the 1957 establishment 4,896 Europeans and 3,523 Africans. In Northern Rhodesia there were in 1957 establishment 629 Europeans (but only 535 on the strength) and 3,130 Africans (almost up to strength). In Nyasaland in 1957 the total strength was 109 Europeans and 1,613 Africans (Annual Police Reports published by the territorial governments in 1958). These figures explain a good deal of the northern Africans' dislike of a Federation in which Southern Rhodesian ideas predominate. In none of the three services were there any Africans of 'Gazetted' rank, that is of a rank above Inspector. In the Protectorate services there were no Europeans below the rank of Assistant Inspector. Between 1952, the year before federation, and 1957, the Northern Rhodesian Police establishment increased by 120% for European personnel and by 53.5% for Africans.

The Police are still a territorial service and would not have to be reconstituted on a new basis. The reversion to full protectorate status might however be made the opportunity to improve the police service.

The Police have allowed, or have been forced to allow their interests to be narrowed down until the greater part of their time is spent in the defence of European property and the suppression of nationalist movements. New senior officers and more liberal direction from the Colonial Office and the territorial governments would do something towards making them the guardians of all the people and the advisers but not persecutors of African

political movements. This would need a closer liaison with the Provincial Administration and an end to the inter-departmental jealousy that has injured the work of both services.

It is difficult to recruit really first-class Africans for a purely suppressive police force. As the new direction of policy became apparent to Africans they would not think that service in the police would cut them off from their friends and families. The defence of law and order is not in itself despicable as long as it is carried out equitably and impartially. There is no reason why the Police Service should not become a force on which all sections of the people rely with equal confidence once the northern territories became conscious of their renewed Protectorate status and their ultimate goal of democratic self-government.

The Prison Service

The Prison Service has been unified as a Federal department. There have been complaints that Africans convicted of any sort of political crime have been transferred to prisons so far away that they can have no visitors. There have also been complaints of ill-treatment in these distant prisons. During federation the Prison Service has acquired a bad name among Africans. When this happens the best men do not come forward as recruits and a cumulative lowering of standards takes place. A reversion to protectorate ideas and the resignation of officers who did not like working to the higher standards required by the Colonial Office would improve the service and mitigate much suffering and degradation among prisoners.

The Judiciary

There would be very little rearrangement needed for the courts. The Federal Appeal Court should in any case go. It was never satisfactory that the Roman-Dutch law of Southern Rhodesia and the English Common Law of the Protectorates should be referred to a single Court of Appeal. The East African Appeal Court would be more competent to deal with Northern Rhodesian and Nyasaland cases.

Medical Department

This Department has become federal and would have to be reconstituted on territorial lines. There are Medical Officers

with administrative experience who served before federation in the Protectorates. They would be perfectly capable of setting up the departments again without interruption of service to the public. The recruitment of Medical Officers for colonies from this country, sometimes on a loan basis from the National Health Service, has become easier in recent years. If there were gaps left through the refusal of doctors of the Federal Service to transfer to the Colonial Civil Service they can be made up. There are a great many West African, Pakistani and Indian doctors qualifying each year who would find the terms of service in Northern Rhodesia and Nyasaland better than they might expect in their own countries. They would serve as a link between the almost entirely white service of today and the largely African service which we must expect in the future.

The nursing service is becoming increasingly African and there will soon be African nurses with experience enough to qualify for the senior posts, but none had been transferred to the Branch I or European grade by 19 December 1958, according to a Federal press statement. The same statement said that two non-Europeans in the Medical Department were in Branch I.

Education

African education in primary and secondary stages is a territorial responsibility and there need be no change of recruitment or terms of service there. One African has recently been made headmaster of a secondary school and put in the formerly 'Europeans only' top grade. The Federal authorities have objected in a number of cases 'on individual grounds' to the employment of African teachers from South Africa in the African Education Department. Only 17 have been admitted (Federal press statement, 20 February 1958). Perhaps once they had their own immigration departments the Protectorates would be less inclined to exclude a man on a report from the South African Government. This might become a very valuable source of recruitment since the Bantu Education Act.

The education of Europeans, Indians and mixed races (coloured) is a Federal responsibility and the staffs would have to be divided among the territories. Indian and Coloured education has been dreadfully neglected, particularly Indian education in Nyasaland. In any case the education of these

sections would have to be entirely reconstituted and inter-racial schooling for all children of those races who hear English spoken at home should be a quick first step to a much wider acceptance of this principle.

European education in the Protectorates has been brought up to a very high level for those pupils who can profit by it. At the same time the number who fail to qualify for the not very exacting requirements for entering mining apprenticeship is high enough to be remarked on. One would hope that entrance into what are now the European and African secondary schools would be by open examination for all races with streaming by ability and not by race. This will create an administrative problem only if it makes it more difficult to find staffs. There seemed to be no good reason why it should. Between 1954 and 1957 only a few of the 1,085 teachers recruited outside the Federation went home again. Of these few quite a number asked to come out a second time (official note in the *Sunday Mail*, 16 March 1958). These overseas teaching recruits do not arrive with a prejudice against teaching African boys and girls.

Up to 19 December 1958, according to a Federal press statement of that date, fourteen non-Europeans had been admitted into Branch I of the Federal Education Department. The speed of entry into this normally European grade is increasing. Five non-European men and one woman were admitted in 1958.

One would hope that the pace would increase enormously when Protectorate services replaced Federal services but the Southern Rhodesian Government, by which one may very often judge Federal standards, has a good record for both African and European education and it would be a mistake to think that the change in governmental form itself would automatically improve education in the Protectorates.

It will rest with the Africans who should be elected to the Legislative Councils to give education a greater priority. At present in Northern Rhodesia as much of the current budgetary expenditure goes to the Police as to African education.

BIOGRAPHICAL NOTES

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